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REVIEW OF THE YUKON VICTIM-WITNESS ADMINISTRATION PROGRAM

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Working Paper

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The views expressed herein are solely those of the author and do not necessarily represent the views of the Department.

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APPENDICES

NOTE: The following Table of Contents lists all of the Appendices contained in the original version of this Report. To save duplicating expenses, complete copies of Appendices I through V are available from the Department of Justice Canada on request.

Appendix I Victim-Witness questionnaire
Appendix II "Comparison Group" questionnaire
Appendix III Criminal Justice System Agency interview form
Appendix IV Social and Private Agency interview form
Appendix V Sample Witness List Form

ACKNOWLEDGEMENT

We extend our thanks to the victims and witnesses who responded so willingly to our questionnaires, and to the members of the Social Service and Criminal Justice communities in Whitehorse who took the time to meet with us and answer our questions and requests for information.

EXECUTIVE SUMMARY

The objectives of this study were to measure the effectiveness of the Yukon Victim-Witness Administration Program and to assess its impact on victims, witnesses and the criminal justice system. The research was originally intended to be a program evaluation, involving a comparison of the perceptions of victims and witnesses who had used the service and those who had not used the service. This comparison became impossible because of the difficulty involved in identifying and contacting victims and witnesses who had not had access to the service; consequently, this report should be considered a review rather than an evaluation.

The major focus of the research was on the degree to which the program met the broad objectives of:

(1) providing assistance to victims and witnesses before, during and after court;

(2) providing information on the trial: dates, court procedures, and available community resources that provide long term counselling for crime victims;

(3) arranging travel, accommodation/reservations for witnesses living in a place other than where the trial was held.

The review was conducted by interviewing victims and witnesses, representatives of a number of Whitehorse based organizations; RCMP officers, crown counsels and the defence bar. Written material including proposals, memoranda and presentations to groups given by the victim-witness coordinator were also reviewed.

The research was approached from two major perspectives: firstly, the degree to which the program met its objectives from the point of view of the victims, witnesses and organizations using the service; secondly, the degree to which the program made sense within the Yukon Government's Justice department in terms of meeting its "administrative" objectives.

Service Objectives

The evaluation addressed the following service objectives:

- the characteristics of the victim-witness population;
- the specific services provided to victims and witnesses;
- the level of satisfaction of victims and witnesses with these services;

- the relationship between the Victim-Witness Program and the crown attorney, the RCMP, the defence bar and other elements of the criminal justice system, and their opinions of the services;

- the relationship between the Victim-Witness Program and community agencies, such as the Transition Home, Yukon Family Services Association, native court workers, and their awareness of the program and its purpose; and

- the impact of such factors as the high transient population, infrequent mail service, limited number of private and public telephones in rural areas and the "One-Person Program" situation on the perception and delivery of the program.

Administrative Objectives

The "administrative" objectives addressed included:

- the appropriateness of the program design;

- indicators of program activity and results;

- cost and cost-effectiveness of the program;

- alternatives for program delivery and potential duplication; and

- program continuity.

The report is organized in three parts: the project background, the current program and an evaluation of the program. A brief comparison with the results of other studies is presented and some recommendations for program improvement.

The evaluators experienced considerable difficulty in contacting many of the victims and witnesses who had been involved with the program; however, vigorous attempts were made to contact as many of a random sample of 150 as possible. It is believed that the sample reached by telephone or in person is representative of the population of victim and witness program users.

The original intent was to also contact victims and witnesses who had not had access to the program but who had been through the court system in prior years. Here again, there was considerable difficulty in contacting respondents, because of the Yukon's extremely mobile population. It was concluded, therefore, that the responses to these surveys were too few to warrant analysis in terms of creating this form of control group.

The findings from the witness interviews suggest that, generally speaking, witnesses and victims who used the program were quite satisfied with their experiences in court. The program does appear to be serving some of the intended target population, but information is lacking about its ability to contact certain target groups (e.g., the very young or old). A significant proportion of the sample had been contacted by the program but did not identify the victim-witness coordinator to be responsible for the services they received.

There is a substantial proportion of witnesses who did not receive the "Being a Witness" pamphlet, and several were not denotified before they arrived at court.

From the results of the victim and witness interviews, it appears the Yukon Victim-Witness Program is not meeting all of its objectives with respect to the provision of services prior to, during and after court. On the other hand, the program is perceived in an extremely positive light by members of the criminal justice and the social service community who were able to identify improvements in witness independence, confidence and understanding of the court process.

It was not possible to measure the program's cost effectiveness in dollar terms. It was, however, perceived as good value for money by agency and criminal justice representatives.

There were some problems identified during the evaluation for which recommendations are provided. These recommendations include a requirement to increase program visibility and identity, separate from the crown counsel's office, as well as the need to collect information to adequately address the program's objectives. Recommendations are also made regarding the expansion of the program to one or more communities outside Whitehorse, and the provision of more intensive and immediate support for traumatized victims through the court process.

I. PROGRAM BACKGROUND

1.0 INTRODUCTION

1.1 Program Background

In 1983, the report An Analysis of Victim-Witness Needs in Yukon, was completed by Audrey McLaughlin. This document contained 35 recommendations focusing on victim and witness services, one of which suggested the establishment of a Witness Management Program to provide court and case-related information to Yukon witnesses. In August 1986, the Victim-Witness Administration Program was established as a pilot project to "coordinate victim-witness services throughout the Yukon".

The program provides court and case-related information to victims and witnesses subpoenaed to court for trial. This information about includes notification of trial dates, completion of travel arrangements for out-of-town witnesses, an orientation to the courtrooms and court procedures, trial outcome information, where relevant, referrals to other appropriate agencies. While the program provides services to all victims and witnesses, certain target groups are identified which require more intensive service. These groups include witnesses and victims of certain types of offences, as well as those who are very young, elderly or who have special language needs, mobility problems, or other requirements.

The Yukon's program differs somewhat from those in other jurisdictions in that it is administered by the Court Services Branch and operates directly from the Court Registry. Other Canadian programs operate under the auspices of, Departments of the Attorney General (Ottawa, Saint John and Campbellton), Police Departments (Calgary and Edmonton), or nonprofit societies such as the Salvation Army (Toronto) and John Howard Society (Vancouver).

1.2 Program Context

1.2.1 Demographic/Economic

The Yukon lies in the extreme northwest corner of Canada, between Alaska and the Northwest Territories. Its population during the period of this review was approximately 27,000. This population is spread over 531,843.52 square kilometres and fifteen communities, ranging in size from under a hundred people to more than 19,000 in the capital of Whitehorse. The population is young, with more than 60 per cent

under 34 years of age. Slightly more than one-half (53 per cent) of the population is male. Native people comprise between one-quarter and one-third of the population.

The majority of services delivered by government and private agencies are located in Whitehorse, although there is access to social and health services in smaller communities.

The population of the Yukon is quite mobile. In 1986, there was a turnover of approximately 18 per cent, reflecting a movement of 2,805 people into the Territory, and 2,199 people out of the territory. Census sample data for 1986 suggest that 69 per cent of Yukon residents, aged five years and over, in the previous five years, were living in a different jurisdiction. This rate of mobility is approximately three times the national figure of 22 per cent.

Various levels of government are the major employers in the Territory, followed by the accommodation and service industries, wholesale and retail trade, and mining. Tourism and mining related industries provide most of the nongovernment employment opportunities.

1.2.2 Justice System

The Yukon does not have responsibility for the Attorney General function; instead, it remains with the Department of Justice Canada. The crown attorneys in the Yukon are federal government employees with offices separate from the court building.

Territorial policing services are administered by the Department of Justice Canada's Corrections and Law Enforcement Branch through an agreement between the Yukon and Canada governments. The RCMP are responsible for policing in the Yukon.

The Yukon Justice Department consists of a Legal Services Branch, Correctional Services Branch, and Consumer, Corporate and Labour Affairs. There are also the Finance and Administration and Policy and Planning Branches. The Court Services Branch provides registries and administrative support for the Court of Appeal, Supreme and Territorial Courts, and the Federal Court of Canada. This branch also provides the Sheriff's function and administers the Maintenance Enforcement and Victim-Witness Administration Programs.

There are five courtrooms (four Territorial and one Supreme) situated in Whitehorse. Eleven of the fifteen communities outside Whitehorse are served by Circuit Courts that sit six times a year. There are part-time registries in the communities of Dawson City and Watson Lake. Figures for the three fiscal years between 1985 and 1987 indicate that the Territorial Court deals with about 5,000 adult and Young Offender criminal cases each year, and the Supreme Court deals with close to 100 cases.

The Yukon justice system includes a Supreme Court judge, a chief judge of the Territorial Court and two Territorial Court judges. Deputy judges are appointed from other jurisdictions to serve in cases where the territory does not have the full complement of three Territorial Court judges. Whitehorse and most communities are served also by Justices of the Peace.

1.3 The Study

The proposed purpose of this study was to provide a program evaluation in order to assess whether the Victim-Witness Administration Program had met its objectives. The research was originally designed to permit a comparison between the experiences of groups of victims and witnesses who had used the program and those who had not, as well as to compare the experiences of members of target groups with nontarget group members. Since the clients using and not using the program were essentially self-selecting, the definition of a control or comparison group became somewhat problematic. It was therefore decided to select the comparison group from victims and witnesses who had been through the court process a full year before the Victim-Witness Program was implemented.

The evaluation research design included a pretest of the survey instruments which, in turn, became a test of sample accessibility. Initial results suggested that there would be a high rate of contact with both user and comparison groups. As the research progressed, however, it became quite clear that the members of the comparison group could not be contacted because most of them had moved and could not be traced. In hindsight, this is not a surprising finding given the migration figures previously mentioned. The results and conclusions of this study are, therefore, based largely on information obtained from program clients and representatives of justice and social service agencies, not on comparative information obtained from program user and nonuser groups. Consequently, the study consists of a review, as opposed to an evaluation, of the Yukon Victim-Witness Administration Program.

2.0 PROGRAM DEVELOPMENT

2.1 Establishment and Purpose

The Victim-Witness Administration Program was established in August 1986 and became one of the functions of the Court Services Branch of the Yukon Department of Justice. Approved by the Yukon Government's Management Board, the Program was to be a 21-month project, staffed by one person. Its purpose was to "coordinate victim-witness services throughout the Yukon on a pilot project basis". The project was to be evaluated at the end of this initial period.

The program's initiative was supported by a number of Yukon and national studies which identified the problems experienced by victims during their court appearances. As a result, the Yukon Justice Department shifted the emphasis from offender services to the provision of better recognition of services to victims of crime. The program specifically addressed the government objective to develop services for the purpose of assisting victims and witnesses in dealing with the justice system.

2.2 Target Group

The target group was to consist of "all subpoenaed witnesses, victims who have expressed an involvement in the case before the court or who wish to apply under the Victims of Crime Act, potential and alleged victims, especially those recipients of restitution awards".

The proposed program was intended to accomplish the following goals:

1. Reduce the levels of inconvenience and confusion victims and witnesses often experience over the course of the protracted court proceeding;

2. Help to overcome the public perception that long delays, huge expenditures of government money, and indifference to the victim-witness in criminal proceedings are built into the current justice system for the sole benefit of the accused;

3. Counteract the lack of information available to the general public about the functioning of the roles of judges, counsel, police and court administration in our judicial system; and

4. Overcome public hesitation and fear about becoming involved as witnesses in criminal cases by putting to rest witness concerns about harassment or intimidation.

2.3 Services Planned

The program was to include the production of an informational pamphlet to accompany subpoenas, the provision of a toll free information "hot line", on-site information, and a waiting area for witnesses on arrival at court. Training and information would be provided to staff at the major court circuit points to extend the service to those communities and to promote community awareness about the program.

3.0 PROGRAM IMPLEMENTATION

3.1 Staffing

The Victim-Witness Program was operated by one person responsible to the Court Registry Manager. Court Registry personnel provided some administrative support as well as reception services. The cashier was responsible for paying the witness fees upon authorization from the coordinator.

The position of victim-witness coordinator has experienced a fairly high turnover rate: three different people have occupied the position in the three years since the program began. This turnover and the resulting interruptions while new staff were hired may have affected the program's transition from its inception to its service-delivery phase. Regular and consistent service to victims and witnesses only began in July of 1987.

3.2 Location

The program operates from the Court Registry. It is situated on the entry level of the Justice building which houses the Supreme and Territorial Courts. The Territorial Justice Department is housed in the same building, including the Finance and Administration, Corrections and Law Enforcement, Legal Services, and Policy and Planning Branches.

The Court Registry Office is open to the public between 9:00 a.m. and 4:00 p.m., while the Justice building itself is open from 8:30 a.m. to 5:00 p.m.

3.3 Program Components

During the program development and implementation stages from December 1986 to the end of March 1987, the program consisted of two major components: the Victim-Witness Administration Program and the Victim Care Unit.

3.3.1 Victim-Witness Administration Program

The Victim-Witness Administration Program, operated by the victim-witness coordinator, was to be responsible for much of the administrative work, such as making travel arrangements for witnesses, witness orientations, payments, notifications and denotifications. In addition, it was to provide some supportive services to victims and witnesses once they became involved in the court process.

Specifically, the purpose of the program was to:

- provide assistance to victims and witnesses prior to, during, and following court appearances;

- provide information regarding trial dates, court procedures, and available community resources that provide long-term counselling for crime victims; and

- arrange travel accommodation/reservations for witnesses living in a place other than a trial venue.

The program was intended to deliver specialized or intensive service to "priority" witnesses, who were defined by the type of offence involved and/or their personal characteristics. Specifically, those given program priority included victims and witnesses involved in cases of child sexual abuse, wife abuse and sexual assault, as well as senior citizens, children and the physically and/or mentally handicapped or severely traumatized.

3.3.2 Victim Care Unit

The Victim Care unit was established in December of 1986 and was operated by the Salvation Army under contract to the Yukon Justice Department. Its purpose was to provide as soon as possible direct support to victims after the occurrence of an offence. The Victim Care Unit staff was also available to conduct court orientations.

Originally, the intention was to recruit volunteers to support the program, but this goal was never realized.

The contract for the Victim Care Unit's Program was not renewed for the 1988-89 year. The availability of this unit, however, was important to the way the Victim-Witness Administration Program developed and functioned, in that the unit had taken care of much of the personal support service needed by clients.

The objectives of the Victim Care Unit had been the following:

- to establish liaison with the crown attorneys, the RCMP, the defence bar, and community agencies;

- to encourage referrals to the victim-witness care service;

- to provide 24-hour, on-call service at the request of the RCMP for support to victims or witnesses;

- to provide individual supportive counselling, before and during court proceedings;

- to provide support and referral to appropriate community services for practical and emotional needs;

- to supervise a separate waiting area for witnesses away from the general waiting area of the court; and

- to provide an information and direction service in the atrium of the "Law Centre" for witnesses as well as the general public.

3.3.3 Relationship between Victim-Witness and Victim Care Programs

It is important to assess the actual and potential function of the Victim Care Unit in relation to the Victim-Witness Administration Program's activities. As outlined later in this report, many of those interviewed as part of this study did not perceive a "hands on" supportive function to be an appropriate role for the Court Services Branch.

There was no clear relationship between the Victim-Witness Administration Program and the Victim-Witness Care Unit. Both units were to conduct case conferences and plan appropriate interventions for victims and witnesses. However, these conferences did not, for the most part, take place. Some confusion was expressed by community groups about the relationship between the two programs, and there were complaints about the way the Victim Care Unit dealt with certain target groups, particularly battered women. Referrals were made by the victim-witness coordinator to the Victim Care Unit, but eventually most referrals dealt with cases where target offences or groups were not involved. Most services provided by the Victim Care Unit consisted of court orientations and accompaniment of the victim to the court.

3.4 Program Design and Development

As originally designed, the Victim-Witness Program had three phases:

1. the pretrial prewitness contact;
2. the pretrial, witness contact phase; and
3. the debriefing.

3.4.1 The Pretrial, Prewitness Contact

Intent

This phase was intended to ensure that contact was made between the coordinator and victims and witnesses as soon as possible after an offence had taken

place, or at least as soon as a subpoena had been served. There was some potential in this phase for the provision of service to victims of offences that did not go to trial.

The success of this phase depended on the coordinator receiving information at the earliest opportunity. Investigating RCMP officers were to telephone the coordinator about witnesses who had or had not been served with subpoenas as soon as this information was available. There was an answering machine in the coordinator's office to accept messages at night and on weekends.

The Salvation Army was to provide some immediate post offence intervention to victims and witnesses but the relationship between the Victim-Witness Administration Program and the Victim Care Unit was unclear. Consequently, planned case conferences did not take place on a regular basis.

Outcome

The coordinator spent considerable time trying to contact victims and witnesses by telephone or in person. Many of the clients had no telephone and had transient or "erratic" lifestyles, thus making it very difficult to contact them.

The telephone information system was also never really effective because it was not always possible for the RCMP to phone in the information regularly. Early intervention, therefore, could not take place in every case which meant that the coordinator was unable to contact most witnesses until close to the date of their court appearance.

This inability to achieve early contact with most victims and witnesses reduced the time available to work with victims and witnesses in terms of identifying their major problems as well as helping them find appropriate counselling and support services. In many instances, victims and witnesses had dealt with the immediate effects of the offence on their own by the time they actually came into contact with the program.

The Salvation Army did not receive information about victims and witnesses that would allow them to provide support services.

The procedure was eventually modified so that the coordinator received information from the police only when the subpoenas had been served, thus, virtually eliminating the prewitness contact phase.

3.4.2 The Pretrial, Witness Contact Phase

Intent

The intent of this phase was to have two pretrial contacts with subpoenaed witnesses; however, because of the limited notice prior to trial, only one contact was

possible in most cases. The approach planned for a serious or target case was to present and discuss the witness kit containing photographs and a model of the courtrooms, to conduct a "walkthrough" of empty courtrooms and, possibly on another day, sit in on an unrelated trial so that the witness could learn procedures in a reasonably relaxed setting.

Outcome

The intensive approach planned for certain victims and witnesses became impossible to implement in most cases because of the limited time available before trial.

Due to the lack of time, the procedure changed to scheduling information sessions and court orientations approximately half an hour before trial. Special orientations were scheduled in particularly sensitive cases or when there was a large number of witnesses or witnesses from outside the Territory.

3.4.3 The Debriefing (Follow-up)

Intent

The coordinator was to contact the victims and witnesses with information about their trial's outcome and to determine whether or not they needed information about community resources or other programs that could help them.

Outcome

Some of the victims and witnesses were as difficult to contact after the trial as they had been before the trial. The procedure was therefore altered by the coordinator so that witnesses themselves were responsible for contacting the coordinator if they required information about the outcome or further resources.

3.5 Service to Communities

Intent

The plan, as outlined in the original funding submission, was for the coordinator to travel to the major court circuit points to extend the service by training local staff and promoting community awareness. The communities targeted at the time included Carmacks, Dawson City, Faro, Haines Junction, Mayo, Ross River, Teslin and Watson Lake. Dawson City and Watson Lake are the only communities with their own court registries, which are staffed on a part-time basis.

Outcome

The service has not been extended to the communities outside Whitehorse as planned, with the exception of telephone assistance and the coordination of travel and accommodation for rural witnesses who must travel to Whitehorse for court appearances.

3.6 Public Information

Intent

An informational booklet was to be prepared during the program's development phase by the Yukon Public Legal Education Association (YPLEA). The pamphlet, "Being a Witness", was to be handed to victims and witnesses when they were subpoenaed to court.

Outcome

The "Being a Witness" pamphlet was prepared to be delivered with the subpoenas.

There was not a great deal of public awareness activity during the program's initial developmental stage. A concentrated informational campaign was undertaken by the coordinator during mid 1987 before the program began to deliver a regular and consistent service. The coordinator spent several evenings accompanying RCMP officers on "ride-alongs" to familiarize the RCMP with the program and to establish personal contact. The RCMP also handed out business cards listing a number of community support agencies including the Victim-Witness Program.

Letters were written to defence lawyers and crown attorneys in order to inform them of the purpose of the program. The coordinator also contacted a variety of private organizations and societies that were not directly connected to the criminal justice system but that dealt with members of target groups. These organizations included the Women's Transition Home, the Vocational Rehabilitation Centre and others.

The coordinator sat on the Crime Prevention Committee and was actively involved in the Association for the Prevention of Community and Family Violence. The coordinator also undertook a number of indirect activities to promote the program, including presentations to Transition Home workers, school classes and government employees. Unsolicited court and victim-related information was often sent to interested groups and individuals.

This emphasis on personal contact with groups and organizations undoubtedly enhanced public knowledge about the program. As discussed later in the report,

continued and repeated personal, rather than institutional, contact is considered critical to its success.

3.7 Program Planning and Monitoring

Intent

The original program proposal identified the need to develop an evaluation component and to conduct this evaluation before continuing the program beyond its initial 21 months.

There were performance indicators designed and a set of objectives outlined in the program proposal including the identification of target groups for priority service.

The four performance indicators were:

(1) Clients assisted:

- number of victims assisted; and
- number of witnesses assisted.

(2) Client benefits/impacts:

- witnesses oriented to courts; and
- number of witnesses informed of courtroom procedure and what is expected of them in the proceedings.

(3) Appearance of witnesses ensured:

- per cent of witnesses who fail to appear.

(4) Support offered to victims:

- number referred to community support agencies.

Outcome

The record keeping procedures developed did not take into account the commitment to evaluate the program. As an example, specific types of witness were identified as target groups to receive special attention. It was possible to identify those target groups defined by the type of offence of which they were victims. It was not possible, however, to identify those who were targeted because of their personal

characteristics, such as age or disability. This demographic information about the program clients was not collected on a routine basis by the coordinator.

The indicators developed for the program did not take the target groups into account. Consequently, they can not be used to assess whether the program is fulfilling its objectives.

The paperwork used to record court dates, appointments, and services to individuals was developed and used as a planning tool as well as a record sheet of activity. As a result, it was not possible to differentiate between planned and delivered services. Furthermore, there is virtually no record of what activities were undertaken by the Salvation Army's Victim Care Unit under contract to the Department of Justice.

There was some delay in obtaining funding and approval to proceed with the evaluation, which was originally proposed in November 1986. Meanwhile, the decision was made in March 1988 to continue the program until the year 1991.

II. CURRENT PROGRAM

4.0 PURPOSE AND ORGANIZATION

4.1 Function

The original purpose of the Victim-Witness Administration Program has remained unaltered. Specifically, the program objective developed by the Department of Justice is: "to assist victims and witnesses in dealing with the courts in order to help ensure an equitable justice system".

The program achieves this purpose by:

- providing assistance to victims and witnesses before, during and after court;
- providing information on trial dates, court procedures, and available community resources that provide long-term counselling for crime victims; and
- arranging travel, accommodation/reservations for witnesses living in a place other than where the trial is held.

4.2 Location and Office Arrangements

The program continues to operate from the Court Registry on the ground floor of the Justice Building in Whitehorse. The coordinator does not have a private office, but has access to private interview space when required. The registry is accessible to the public between the hours of 9:00 a.m. and 4:00 p.m., Monday to Friday.

4.3 Scope of the Program

The program is still based in Whitehorse, and does not provide service to communities dealt with by Circuit Court, with the exception of telephone enquiries.

4.4 Staffing and Responsibilities

The program continues to be staffed by one person, the victim-witness coordinator, who reports to the registry manager. Reception services are provided by

the registry counter staff and the coordinator does most of the clerical work associated with the program.

As outlined in the coordinator's position description (last reviewed in 1986), the major function of this position is "... providing support to victims, witnesses and the general public who are involved in the Supreme and Territorial Courts of the Yukon". The coordinator is responsible for the provision of a central information service; that is, informing victims and witnesses of the court process and their role within it. The coordinator contacts victims and witnesses, arranges escort and court security for witnesses, and assists with their applications for compensation under the Victims of Crime Act. Related activities include making travel arrangements and accommodating the special needs of witnesses, processing the witness payments, following up on restitution orders, conducting information sessions on the trial process, and promoting awareness of the role of the program in the justice system and with court staff.

4.5 Target Groups

The identification of the target groups has not significantly changed. The original submission to management board stated that one of the target groups was to be victims entitled to restitution payments. This group is still identified as a specific target in the position description although, in fact, the restitution payments are monitored by the cashier and the new Court Registry Information System. The "priority" groups remain victims and witnesses of child sexual abuse cases, wife abuse and sexual assault, as well as senior citizens, children, the physically and/or mentally handicapped, and those who have been severely traumatized by their experience.

4.6 Public Awareness

There are two major target groups to which information can be disseminated: resource people and professionals who deal with victims and witnesses and the general public.

The professional and service delivery agencies that can provide service to victims and witnesses have, in the past, been approached personally by the coordinator. Awareness about the program has thus been heightened through the coordinator's participation on interagency committees and attendance at regular meetings of such associations. This approach has been successful in encouraging a cooperative approach in dealing with victim and witness needs and has resulted in referrals to the coordinator before charges have been laid.

Publicity to inform the general public about the role and services of the program has been generated in a variety of ways:

- The "Being a Witness" booklet is displayed in a number of locations where victims or potential victims and witnesses would likely see it. These areas include the Transition Home, the YPLEA office, The Women's Centre, etc. The program is also advertised on CBC radio through a public service announcement. It is also shown on the "Women Can't be Beat" video which has been frequently featured in the Yukon. This video is available on a loan basis through several video rental outlets.

- The Victim-Witness Program was one of the displays in the May 1989 Yukon Trade Show which always has a very heavy attendance (18,000 people in 1988). The program is also developing small cards for distribution by the RCMP and the Coordinator. These cards list a central telephone number that members of the public can call for information about the program.

- The program has developed a computerized court orientation and education program directed towards teenage witnesses. This program was developed on a Macintosh computer; it is interactive, mouse-driven and makes extensive use of graphics. There is also a model of the courtroom designed by the Whitehorse Correctional Centre for use in orientations. It is particularly useful for children or very traumatized witnesses. It is also used as a public education tool.

- The coordinator has made specific presentations to groups such as the high school law class and the Women's Support Group, sponsored by the Community Corrections Branch, Family Violence Prevention Unit.

5.0 PROGRAM PROCEDURES

5.1 Victim-Witness Contact

The victim-witness coordinator receives a witness list for each trial directly from the RCMP. This list is a multi-part form; the first copy is received when the subpoenas are signed and the second copy is received after the subpoenas have been served. The coordinator does not usually receive a confirmed witness list until all the witnesses for a given trial have been subpoenaed. The coordinator, therefore, can not usually begin contacting any witnesses until the last witness on the list has been served with a subpoena. The coordinator, however, does sometimes do a follow-up with the RCMP court liaison officer to see which subpoenas have been served.

The witness list form does not include information about the offence nor does it list demographic information about the witnesses.

Once the coordinator has received confirmation that the subpoenas have been served, an initial contact is made with the witness to explain the program contents and to identify witness needs. A second contact is made to confirm the court date and the time the witness should attend. If the Witness is from out of town or out of the Yukon, the coordinator makes the necessary travel and accommodation arrangements.

5.2 Trial Day Services

The coordinator makes appointments for the crown attorney to interview witnesses before they appear in court, and provides a court orientation approximately 45 minutes before trial time. This court orientation lasts between five and fifteen minutes, and includes information about appropriate court behaviour, the roles of the judge, defence counsel and prosecution, how to obtain witness fees, and information about the trial's outcome. In certain instances, the coordinator will sit with the witnesses during the trial to provide moral support and assistance.

5.3 Information Collection

A paper file is opened and maintained for each trial. This file contains the names and contact numbers of all the witnesses along with necessary case notes.

Witness names are now entered into the Court Registry's computer system and are linked to information about the trial, the accused and the offence. The information collected about the witnesses includes their employment, a contact telephone number, an address, and the amount of witness payment.

The limited information routinely collected by the program does not allow for program monitoring and planning. It is not possible, therefore, to measure whether the objectives of the program have been met nor whether the defined target groups have been adequately served.

5.4 Witness Payments

Payments to local witnesses are made by the court's cashier from a float that is maintained and reconciled by the victim-witness coordinator. Payments of over $100.00 are generally made by cheque.

5.5 Other Activities

The coordinator responds to queries about the criminal justice system in general, and has become a general referral and information source. The coordinator has, on occasion, assisted women in completing peace bond applications, and helped with applications to the Yukon's Crimes Compensation Board.

III. EVALUATION

6.0 DESIGN

6.1 Scope

The evaluation advised the three broad objectives of the program:

(1) providing assistance to victims and witnesses before, during and after court;

(2) providing information on trial dates, court procedures, and available community resources providing long term counselling for crime victims; and

(3) arranging travel and accommodation/reservations for witnesses living in a place other than where the trial is held.

Specifically, the evaluation examined the following "service" objectives:

- characteristics of the victim-witness population;
- types of services provided to victims and witnesses;
- level of satisfaction of victims and witnesses with the services provided;
- the relationship between the Victim-Witness Program and the crown attorney, the RCMP, the defence bar, the Legal Service Society and other elements of the justice system, and their opinions of the services;
- the relationship between the Victim-Witness Program and community agencies such as the Transition Home, Yukon Family Services Association, the native court workers, the YPLEA, and their awareness of the program and its purpose; and
- impact of the high transient population, shortage of telephones in rural areas, infrequent mail service in rural areas and the "one person program" situation, on the perception and delivery of the program;

The "administrative" issues addressed included the following:

- appropriateness of the program design;
- indicators of program activity and results;
- cost and cost-effectiveness;
- alternatives for program delivery and potential duplication; and
- program continuity.

The program or client records do not permit the use of the indicators established by the Department of Justice to form the basis of this evaluation. Firstly, the available information collected does not allow for the accurate compilation of the indicators themselves and, secondly, the indicators do not adequately address the program objectives.

To compensate for these problems, the evaluation is based instead on results from a combination of interviews from the client group, justice system personnel, program administrators, and a review of the existing documentation.

6.2 Method

- An advisory committee was established in the Yukon to assist the evaluators in determining which program objectives should be evaluated, to provide input into the development of questionnaires, and to provide assistance where needed.
- The representatives from the Department of Justice Canada provided input into the development of the evaluation design and survey instruments, and ensured quality control.
- Program-related background information was provided by the Court Registry, the crown attorney's office and the RCMP.
- All client files established by the victim-witness coordinator were reviewed by the evaluators.
- Survey questionnaires were developed for clients who had access to the program, as well as for clients who went through the court process before the program was available. These questionnaires also became the only source of demographic information about the subjects.

- Interviews were conducted with representatives of the justice system and other agencies.

6.2.1 Witness Sample Selection

General

Selecting a representative sample from a small mobile population such as the Yukon's presents particular problems. The victim-witness coordinator had experienced difficulties contacting some subpoenaed clients because they did not have telephones and others had no fixed address. These difficulties had a significant impact on the way the program operated; it was important for this study to ensure that the sample interviewed was representative of the population that the program was intended to serve and not simply made up of those who could be easily contacted by telephone. Selecting from a pool of clients until a sufficiently large number has been interviewed, can distort the sample (and consequently the study results) in favour of the easily identifiable nontransient clients. The results of this study are based on a small, but representative sample of clients who were contacted by the evaluation team.

Victims and witnesses were randomly selected from two populations: those who had access to the services of the Yukon Victim-Witness Administration Program and those who did not. The victims and witnesses who did not access the program were considered a control group for comparison purposes.

Program clients

The names of all potential victims-witnesses were recorded in the coordinator's files; however, they were only contacted by the coordinator once they had been subpoenaed. A sample of 150 victims-witnesses was randomly drawn from the 729 files that listed in-Territory addresses or phone numbers for the period between September 1, 1987 and August 31, 1988. The intent was to interview 90 of these victim-witnesses.

As the researchers were only to contact victims or witnesses who were resident in the Yukon, all those who had out-of-Territory addresses were eliminated from the sample. Witnesses who were known to have not been subpoenaed, as well as those who were not contacted at the crown attorney's request, were also removed from the pool from which the sample was selected. Also removed were witnesses whose perception of the Program might be affected because they were in prison or had extensive criminal records.

Efforts were made to contact all the victims and witnesses listed, and up to ten attempts were made to contact each victim-witness by telephone or in person. This resulted in 82 successful contacts with victims and witnesses. All failures to contact victims or witnesses were fully documented.

Control Group Clients

Virtually all victims-witnesses attending court in Whitehorse had access to the program. Victims and witnesses who chose not to use the program or who had refused assistance, could not be assumed comparable, in all other respects, to the group who used the program. For example, several potential clients were social workers who were familiar with the court process and others had extensive criminal histories and neither required nor desired the service. It was, therefore, decided to select the control group of clients from the pool of victims and witnesses who had attended court before the program was implemented (i.e., the 12-month period between September 1, 1986 and August 31, 1987).

The names of victims and witnesses who testified at trials before the Victim-Witness Administration Program began, were recorded only in the clerk's notes in the Court Registry files. The names of those who were subpoenaed but who did not testify were no longer available. The control sample was, therefore, drawn from the names of witnesses listed in the clerk's notes in the Court Registry files for randomly selected trials. This resulted in the identification of 166 witnesses. The addresses and/or telephone numbers for 143 of these witnesses were still on file with the RCMP, while others were already known to the researchers. After eliminating the witnesses who were police officers, those who had died and those who had moved out of the Territory, there remained 105 victims and witnesses who could potentially be interviewed. This population proved extremely difficult to contact. This resulted in only six completed interviews. This sample was so small, the results were neither analyzed nor included in this report.

6.2.2 Questionnaires

Victim-Witness

Two victim-witness questionnaires were designed: one for those who were listed in the victim-witness files and one for the comparison group. The questionnaires for both comparison and program groups were pretested on ten respondents. The questionnaire for the program clients consisted of 78 questions covering the time period between the offence and trial completion. The last section of the questionnaire included eight questions designed to obtain demographic information. The questionnaire for the control group was similarly designed, consisting of 69 court related questions and eight questions designed to elicit demographic information.

Agencies

Information from criminal justice and other agencies was obtained by structured interviews. There were two schedules developed: one for officials (i.e., RCMP, judges and crown prosecutors), and the other for social and information service agencies (i.e.,

Department of Health and Human Resources, the Women's Shelter, Yukon Family Services and the YPLEA).

Interviews were conducted either individually or within small groups. The interview topics for the resource groups and private agencies varied slightly from those of the criminal justice related personnel since these agencies also deal with their clients in different contexts.

7.0 WITNESS SURVEY RESULTS

7.1 Witness Contacts

A sample of 150 victim and witness names was drawn from the coordinator's files of which the evaluation team hoped to interview 90 subjects. Several (up to ten) attempts were made to contact witnesses by telephone, at different times of the day and during the week. In addition, the interviewer went to the last known addresses of those who did not have telephones or could not be successfully contacted by telephone, again on several occasions.

Twenty-one people could not be interviewed because they had either moved from the Territory, died, were hospitalized, imprisoned or had criminal records so extensive that their responses were likely to be biased. Four respondents lived in various small communities, some distance from Whitehorse, and could not reasonably be contacted either in person or by telephone.

Of the remaining 129, 47 persons could not be traced and 82 individuals were successfully contacted. Twelve contacted refused to be interviewed and four broke off the interview. Interviews were successfully completed with 66 individuals (44 per cent of the original sample of 129).

Table 1 Victim-Witness Contacts

	Female	Male	TOTAL	%
Refusals/Break-offs	7	9	16	12.4
Untraceable	19	28	47	36.4
Completed	25	41	66	51.2
Total	51	78	129	100.0

7.1.1 Witnesses Subpoenaed

It was not always clear from the coordinator's records whether the witnesses had actually been subpoenaed to court; consequently, this question was one of the first asked of respondents. If in fact they had not been subpoenaed, the interview was immediately terminated.

Table 2 Number of Witnesses Receiving Subpoenas

Gender	Subpoenaed	Not Subpoenaed	TOTAL
Female	23	2	25
Male	29	12	41
Total	52	14	66

Proportionately, less men than women were subpoenaed to attend court as a result of their involvement in a case. The rest of the survey results are based on the responses of the 52 people who were subpoenaed to court (63 per cent of the sample contacted and 79 per cent of the completed interviews).

7.1.2 Summary

As vigorous attempts were made to contact all possible respondents from the sample, it is likely that the sample is representative of the witnesses who use the Victim-Witness Program services. The contact rate in this study is comparable with similar surveys which were able to contact 29 per cent to 50 per cent of their samples in Ottawa and Campbellton (Meredith, 1984; Mullally, 1984).

7.2 Characteristics of the Victim-Witness Population

Demographic information about the sample of victims and witnesses was obtained from interviews. Several respondents did not wish to answer questions of a personal nature; consequently, the data were not completed.

The characteristics of the victim-witness population were examined to determine the proportion of target group members served by the program and to assess whether there appeared to be an over- or under-representation of particular groups.

7.2.1 Age and Sex of Respondents

Table 3 Subpoenaed Respondents by Age and Sex

Range	Female Victim	Female Witness	Female Total	Male Victim	Male Witness	Male Total	TOTAL Number	TOTAL %
< 15	0	0	0	0	1	1	1	1.5
15-17	0	1	1	0	0	0	1	1.5
18-25	2	6	8	1	4	5	13	25.0
26-30	0	2	2	2	1	3	5	9.6
31-35	2	0	2	4	6	10	12	23.1
36-40	0	4	4	1	2	3	7	9.1
41+	0	4	4	0	5	5	9	17.3
N/A	1	1	2	1	1	2	4	12.0
Total	5	18	23	9	20	29	52	99.1

There were 23 women and 29 men subpoenaed to court. More than one-half were between 18 and 35 years of age. None of the respondents were over 60 years old and only three were over 50. Four subjects did not report their age.

The Yukon Victim-Witness Administration Program has defined certain target groups of victims and witnesses to receive priority treatment. These groups include the very young, the very old, victims of particular offences and victims and witnesses with special needs. Only one of the victims in this sample was under 15 years of age, and none were very old. In the absence of information about the population of victims and witnesses on a whole, it is impossible to assess whether the proportion of victims to witnesses, in terms of age and sex, is accurately reflected in this sample.

7.2.2 Previous Experience as a Witness

Twenty-five persons (48 per cent) stated that this was the first time they would have been a witness in court. Nine of the witnesses had previous experience. They were in either security, medical or social service occupations where testifying in court is not an uncommon experience.

Four of the five female and four of the nine male victims were also first-time witnesses. The proportion of victims in this sample (27 per cent) is comparable to the New Brunswick studies (32 per cent) and the Ottawa study (29 per cent).

7.2.3 Ethnic Background

Respondents were asked during the survey whether they would describe themselves as Indian or non-Indian. Seven of the women (30 per cent) described themselves as Indian as opposed to two of the men in the sample. This result could have occurred because the men were more difficult to contact than the women and thus were not included in the sample. Alternatively, there may be a higher proportion of Indian women who become witnesses than Indian men. The Indian proportion of the Yukon population is approximately 25 per cent. This is congruent with the self-report figures of the women.

7.2.4 Marital Status

More than one-half of the victims and witnesses interviewed were married. The proportion of single women was slightly higher than for the men (34.7 per cent and 24.1 per cent respectively).

Table 4 Marital Status of Victims and Witnesses

Status	Female	Male	TOTAL	%
Single	8	7	15	28.8
Married	11	18	29	55.8
Separated	0	1	1	1.9
Divorced	2	1	3	5.8
No Response	2	2	4	7.7
Total	23	29	52	100.0

7.2.5 Relationship to the Accused

Most witnesses were not related to the accused, although many were acquaintances.

Table 5 Relationship of Victims-Witnesses to the Accused

Relationship	Female	Male	TOTAL	%
None	11	15	26	50.0
Family Member	0	1	1	1.9
Friend	2	2	4	7.7
Acquaintance	6	5	11	21.2
Neighbour	0	1	1	1.9
Other	2	3	5	9.6
No Response	2	2	4	7.7
Total	23	29	52	100.0

7.2.6 Education

More than 75 per cent of the sample had completed twelve or more years of education. The data suggests that the women are slightly better educated than the men. The education levels of this sample are somewhat higher than reported for the Campbellton and Saint John samples. It is not clear whether this result reflects general educational differences in the community, or whether better educated clients are more likely than the less educated to access the Yukon program.

Table 6 Years of Education Completed

Years	Female	Male	TOTAL	%
<9	0	3	3	5.8
10	2	3	5	9.6
11	1	1	2	3.8
12	9	10	19	36.5
13+	9	7	16	30.7
No Response	2	5	7	13.5
Total	23	29	52	99.9

7.2.7 Occupations

When asked about their occupation, most respondents gave general answers such as "manager", "government employee", etc. The sample included three students, two bank employees, three "managers", six employees of various levels of government, eight construction and technical workers, and seven people who had their own businesses. There were also four people employed in social and medical services areas, one homemaker, and two people who worked in the retail business.

7.2.8 Income

Nineteen people did not wish to disclose their income: nine women and ten men. Since the remaining numbers are so small, the data are not presented by sex.

Table 7 Family Income

Family Income ($)	Number	%
<5,000	0	0.0
5,000 - 9,999	0	0.0
10,000 - 14,999	4	7.7
15,000 - 19,999	1	1.9
20,000 - 24,999	6	11.5
25,000 - 29,999	5	9.6
30,000 - 39,999	3	5.8
40,000+	14	26.9
No Response	19	36.5
Total	52	100.0

7.2.9 Offences

The Yukon Victim-Witness Administration Program is available to all witnesses; however, the program established certain target groups of victims and witnesses who would receive particular attention. For example, victims of violent crimes, sexual assault, etc.

Most of the crimes that the respondents were witnesses to were Criminal Code offences. Fourteen of them (26 per cent) were sexual and physical assaults, the others were property related and other offences "not against the person". Two of the men and

none of the women in this sample were victims of assault or other offences "against the person".

The Yukon Department of Justice's annual report contains statistics indicating that 13 per cent of all offences reported in the Territory for the 1987-88 year were offences "against the person". This information does not directly reflect the number of cases going to trial. It does, however, suggest that the proportion of target cases dealt with by the program is reasonable in light of the overall incidence of such offences.

Table 8 Offences

Offence	Male	Female	Total
Criminal Code			
233	1	3	4
237	3	1	4
245*	5	4	9
246*	2	2	4
294	3	4	7
295	1	-	1
306	3	-	3
320	2	1	3
387	1	4	5
392	1	-	1
402	1	-	1
666	-	1	1
149*	1	-	1
174	1	-	1
Motor Vehicle Act			
130	-	1	1
140	1	-	1
179	1	1	2
195	-	1	1
Unstated	2	-	2
Total	29	23	52

*Target Offence

7.2.10 Proportion of Victims

Five of the women and nine of the men reported that they were also the victim of the offence to which they were a witness (27 per cent of the sample). This proportion is similar to the proportion of victims in the Ottawa and Saint John samples cited above (Meredith, 1984; Mullally, 1984).

It is not possible to assess the proportion of victims who are contacted by the program compared to the total appearing in court because the program does not collect information that differentiates victims from witnesses. This information is also not available in the Court Registry Information System.

7.2.11 Profile Summary

According to the results of this survey, the witnesses most likely to be involved with the program were men between the ages of thirty and forty. Women were more likely to be single than men, although most sample men and women were married. Approximately 30 per cent of the women were Indian, while the proportion of men who were Indian was more difficult to define.

Most of the witnesses, male and female, were employed. They were likely to have completed grade 12 or higher. The family income level tended to be $25,000 or over.

While these results are based on a very small sample, there is nothing to suggest that the type of population served by the program differed significantly from the Yukon's population in general. As found in other studies, the people who become involved in the justice system as victims or witnesses come from all levels of economic and social status.

Almost one-half of the sample were first time witnesses, and 27 per cent were victims of the offences to which they were witnesses. While the number of target offences is relatively low (26 per cent), the proportion of such offences committed in the Territory each year is also low (13 per cent).

Information regarding the characteristics of the sampled victims and witnesses suggest that the Program is able to identify victims and witnesses, as defined by their involvement with a target offence (but not by their status as victim as opposed to witness). On the other hand, there was a substantial proportion of people contacted by the interviewers who had not been subpoenaed to attend court; some had no apparent awareness of the case at all.

The present coordinator and the RCMP court liaison officer report that the information flow, between the RCMP and the program, has become smoother since the new multi-part witness form has been in use, and continues to improve. Thus, the risk

of contacting potential witnesses who are unaware of their possible involvement in court should be substantially reduced.

7.3 Services Provided to Victims and Witnesses

7.3.1 Precourt Services

Most of the witnesses who reported having contact with the victim-witness coordinator stated that the contact period occurred between receiving the subpoena and the day they attended court. The six witnesses who reported contact before the subpoena had been issued, had all been contacted by telephone by the coordinator. Two of these six were witnesses to target offences.

Fourteen of the sixteen witnesses who reported contact, between their receipt of a subpoena and their court date, had been contacted by the coordinator. Another witness had contacted the coordinator independently, and another did not state how the contact was made. Three of the respondents who had been in contact with the coordinator during this period were witnesses in cases involving target offences.

Table 9 Time of Contact with Victim-Witness Coordinator

Period of Contact	Number Contacted
Prior to subpoena	6
Between subpoena and court	16
On court day	7
No contact period reported	23
Total	52

7.3.2 Reasons for Contact

Table 10 Reasons for the Contact between the Coordinator and the Witnesses*

To find out if witness had questions	7
To tell about the orientation	7
To inform about the Victim-Witness Program	4
To remind about court date	3
To see if there are problems getting to court	2
To ask to come for orientation tour	2
To see if any personal problems	1
To tell witness not to come to court	1
To enquire about restitution	1
Total Reasons	28

*Note: Some witnesses reported more than one reason

7.3.3 Witness Denotifications

Witness notification and denotification are two of the major functions of the program. The program attempts to ensure that witnesses are notified to avoid adjournments and case dismissals, and tries to avoid inconveniencing witnesses who are not required to pay unnecessary witness fees.

Of the 52 respondents who had been subpoenaed, nine individuals did not attend court. As shown in the table below, most of the respondents who did not attend court were denotified by the police.

Table 11 Reasons for Non-attendance at Court

Reason	Number
Denotified by police	5
Denotified by coordinator	2
Denotified by crown attorney	1
Unspecified reason	1
Total	9

7.3.4 Amount of Notice Given for Denotification

Eight respondents did not go to court because they were denotified. Three individuals stated that they received about one week's notice, and the same number could not remember. Only one could remember receiving between one and three days notice.

Table 12 Notice Given for Denotification

Length of Notice	Number
One to three days	1
One week	3
More than three weeks	1
Could not recall	3
Total Denotified	8

7.3.5 Receipt and Understanding of Subpoena

Forty respondents were personally served with subpoenas. Fifty individuals understood that they would have to go to court when they received the subpoena and 23 were informed by the police when the subpoena was served. Thirteen persons understood what the subpoena meant from previous experience; for example, as a prior witness or from having served on a jury. Three of the respondents asked questions when they were served, one wanted to re-read the statement given to the police, one inquired

as to whether there would be someone to help at court, and others had general questions about procedures and expectations.

Table 13 Understanding of Subpoenas

Information Source	Number
Informed by police	23
Previous experience	13
Understood from reading the subpoena	12
Informed by family member	1
No answer	3
Total	52

Most of the subpoenas were received between one week and one month before the court date. Most offences, however, had occurred between two and five months before the court date. Therefore, a substantial period of time in some cases elapsed between the time of the offence and the time the subpoena was received (i.e., often several months).

Table 14 Time Period between Offence, Subpoena and Court-date

Time Period	Offence-Court	Subpoena to Court
Less than one week	-	4
About one week	-	13
Two weeks	2	10
Three weeks	1	2
About one month	8	8
Six weeks	1	3
Two months	12	4
Three to four months	9	1
Five months or more	15	1
No answer	4	6
Total	52	52

Five respondents spoke to someone in the justice system about the subpoena: two spoke to the police and three to the crown attorney. They found it easy to contact someone to answer their general questions about expectations from the court process.

7.3.6 Receipt of the Being a Witness Pamphlet

One of the program components included the development of the "Being a Witness" pamphlet. The intent was to have the pamphlet delivered with all subpoenas so that witnesses would be aware of the Victim-Witness Program, and would receive information about the court process before their appearance.

Most (60 per cent) of the witnesses received the "Being a Witness" pamphlet prepared by the YPLEA.

Table 15 Receipt of "Being a Witness" Pamphlet

Receipt of Pamphlet	Number
Received pamphlet	31
Did not receive pamphlet	17
Can't remember	4
Total	52

When asked where they received the pamphlet from, most of the 31 respondents who received the pamphlet stated that it had come with the subpoena.

Table 16 Source of "Being a Witness" Pamphlet*

Source	Number
Came with subpoena	21
Victim-witness coordinator	5
My lawyer	1
Public Legal Education	1
Court worker	1
Can't remember	1
No answer	1
Total	31

*Note: Table is based on the number of people who reported receiving the pamphlet.

When asked if they had read the pamphlet, 26 respondents said that they had and 22 respondents reported that they found it helpful. Four found it unhelpful, one of whom found it difficult to read and too long.

7.3.7 Precourt Awareness of the Victim-Witness Program

When asked whether they had been aware of the Victim-Witness Program before they arrived at court, 28 respondents said they had not, 22 respondents said they had and two did not respond.

The 22 respondents who reported that they did know about the program cited one or more of the following as their source(s) of information.

Table 17 Sources of Information about the Program*

Information Source	Number
Witness pamphlet	12
Informed by coordinator	8
Knew from experience	4
Informed by YPLEA	1
From the police business card	1
Other (unstated)	2
Total	28

*Note: The total adds to more than 22 because respondents were able to identify more than one source from which they received information.

7.3.8 Summary -- Precourt Contact

Of the 66 respondents contacted as part of the survey, 54 expected that they might have to attend court at the time of the offence. Eleven of the respondents had questions of a general nature they would have liked to ask. As indicated earlier in this section however, only one of the respondents found out about the Victim-Witness Program from the police information/business cards, and only six respondents had been in contact with the program before the subpoena was served.

The planned reintroduction of business cards to inform victims and witnesses about the program may well help to fill the need for information during the period between the offence and the court appearance.

A substantial proportion of witnesses are not receiving the "Being a Witness" pamphlet when they get their subpoenas. Given that 26 of those who did receive it also read it, and 22 found it helpful, it would be worth ensuring that the pamphlets are sufficiently available and are routinely attached to all subpoenas. Not only does the pamphlet give general information about being a witness, but it is also a frequent source of information about the Victim-Witness Program. The distribution of these pamphlets to all subpoenaed witnesses creates a problem common to other programs; for example, more than 60 per cent of respondents in the Ottawa and New Brunswick studies reported not receiving the pamphlet. These studies also found the pamphlets to be useful and informative to those who read them.

There were only 16 reports of contact between witnesses and the program during the period between receiving the subpoena and the court day, although 52 witnesses were subpoenaed. Increased information about the Victim-Witness Program may be needed to increase the apparently low contact rate between the witnesses and the program during this period. The coordinator has experienced considerable difficulty in contacting some witnesses directly; however, the more witnesses can be informed through increased publicity, business cards and the witness pamphlet, the more they will be likely to contact the program on their own should they have questions.

7.4 Court-day Services

The coordinator provides a number of services on court-day, including the orientation session, payment of witness fees and general support and attention during the trial. If required, the coordinator can provide a private waiting room for witnesses, although this is not a routine practice. Witnesses generally wait outside the courtroom.

7.4.1 Denotification

When asked whether the witnesses had come to court during the progress of the trial to find they were not needed, 18 witnesses said that they had but had not been denotified.

Table 18 Reasons for Witness Denotification

Reason	Number
Failure to appear and adjourned	5
Other	4
Stay of proceedings	3
Guilty plea at trial	2
Prior guilty plea and not notified	2
Not called	1
No answer	1
Total	18

The witnesses found they were not required to be present at court from a variety of sources:

Table 19 Source of Denotification Information

Source of Information	Number
Crown attorney	5
Police	4
Lawyer	3
Coordinator	1
Registry staff	2
Not informed	1
No answer	2
Total	18

7.4.2 Number of Witnesses Who Testified

Thirty-one of the respondents stated that they did testify in court, and nine had attended the first appearance.

7.4.3 Length of time Witnesses Spent at Court

Sixteen of the respondents reported that they spent longer in court than they had expected, 12 of whom found out they would have to stay longer during the trial. Three of the respondents stated this was a problem because they lost a day's work as a result.

Table 20 Time Spent at Court

Time Spent	Number
< One-half day	4
One-half day	24
One day	7
Two days +	4
No answer	13
Total	52

7.4.4 Court-day Contact

The responses to the questionnaire suggested there were few contacts between the coordinator and the witnesses on court-day (seven witnesses, two of whom were target witnesses). This information is somewhat difficult to interpret given that there were nine witnesses who said that they attended the information session before court. A possible explanation is that the witnesses were not aware that the information session was in fact related to the Victim-Witness Program.

The reasons given for contact with the coordinator on the day of court were:

Table 21 Reasons for Court-day Contact*

Reason Given	Number
To provide orientation	5
To give information about court procedures	3
To denotify	1
Moral support during and before court	2
Total Reasons	11

*Note: Some witnesses gave more than one reason.

7.4.5 Orientation Session

Two of the seven nontarget witnesses who attended the information session felt less nervous as a result, and four stated the session made no difference. Both of the two target witnesses who reported attending the session, reported feeling less nervous as a result. One of the target and two of the nontarget witnesses felt more prepared as a result of the session. Four witnesses felt that the session made no difference.

When asked why they attended the orientation session, six witnesses attended because they wanted more information about court procedures (two of whom were the target witnesses), and three attended because they thought it was required. Seven found the information very clear, one found it unclear and one did not respond. Both target witnesses found the material clearly presented.

The only witnesses who reported problems with the information session were target witnesses. One found the area too open and did not like the lack of privacy. This witness reported being followed into the washroom by the crown attorney and asked questions. The other found the area too cramped with three other witnesses attending the session at the same time. One witness, however, complimented the program on the session, explaining that the process was made extremely clear in terms of what exactly to expect.

Fifteen respondents gave reasons for not attending the information session:

Table 22 Reasons for Non-attendance at Information Session

Reasons for Non-attendance	Number
Did not know about it	7
Already familiar with court	4
Already briefed by crown attorney	1
Busy	1
Denotified	1
Coordinator did not show for session	1
Total	15

Four of the respondents who gave reasons for not attending the session were target group members: two did not know about the session, one had previous experience in court and one was busy.

7.4.6 Court Accompaniment

Most of the witnesses did not have anyone to sit with them during court (24). The Salvation Army Staff from the Victim Care Unit sat with one witness, five were accompanied by the police, six had friends or relatives with them, and three had other witnesses with them.

When asked whether having someone with them made them feel better about court, six said it did, three said it did not, and three did not know.

Twenty-two of the respondents would not have liked anyone to be with them during court, six did not know, and five said they would have liked someone to sit with them. Two respondents specifically mentioned they would like to have someone like a

court worker as a victim advocate to keep them company, and two would have liked support from friends.

7.4.7 Witness Perceptions of their Court Experience

Ten witnesses reported experiencing some problems with their attendance at court:

Table 23 Problems Identified*

Problems	Number
Transportation	3
Scared	1
Daycare	1
Time off work	6
Total Problems	11

*Note: adds to more than ten because witnesses could have more than one problem.

All three of the respondents experiencing difficulty with travel received help: one from the police, and two from the crown attorney. The witness who was afraid received help from their spouse. The witness who reported problems with making daycare arrangements was a single parent who worked shiftwork and found the witness fees inadequate to cover the daycare cost.

The difficulty most frequently experienced by respondents involved taking time off work to attend court. Three of these were employees who lost no money from having to take time off, although one reported difficulty with the employer in arranging the time. Three of the witnesses who experienced problems were self-employed or worked in family businesses. These individuals had not only to take time off, but also lost money, had to find a replacement (at extra cost to themselves), or had to close the business.

Once they arrived at court, five witnesses reported problems finding where to go, four of whom asked for help from the Court Registry or security staff in the building.

7.4.8 Summary -- Court-day Services

The fact that 18 witnesses had arrived for court at some time during the trial's progress only to find that they were not required, suggests that the witness denotification procedures are not meeting the program's objectives. Seven of the circumstances involved last minute guilty pleas and adjournments that would have been unforeseeable. Some of the stays of proceedings could fall into the same category; however, there is still a significant number that should probably have been denotified prior to the court day.

The survey results suggest that not all the witnesses who would benefit from the information session are knowledgeable about its existence. Relatively few (nine) of the witnesses in this sample said they attended the orientation session. Seven of the witnesses who gave reasons for not attending the session said they did not know about it. As part of the survey, witnesses were asked what type of support and assistance they required during the court process: information was a frequently mentioned requirement, often by those who had not attended the session.

The responses to questions about the information session also suggest that the witnesses did not associate the sessions specifically with the Victim-Witness Program, but may have seen it as an integral part of the court process. On the one hand, it may be appropriate to make the service transparent in this way. On the other hand, it becomes difficult for witnesses who are unfamiliar with the system to find out where the session is and what it is about.

Generally speaking, witnesses did not tend to identify the Victim-Witness Program as responsible for much of the help they received. It is not clear whether this reflects a real lack of assistance or whether witnesses are unable to identify the program as a unique function.

While few witnesses attended the information session and few had contact with the program on court day, 20 were satisfied with their experience at court, and 11 were not. Five of the eleven who were not satisfied reported having no contact with the coordinator which suggests that the program has a significant role in helping witnesses during court.

7.5 After Court Services

The program allows for contact between witnesses and the coordinator after court, to obtain witness fees, information about the outcome of the trial, information about referral sources, compensation for victims, etc. Most of the witnesses in this sample did not have contact with the coordinator after the trial, although one called to find out about community based counselling and support services after a sexual assault trial. Fifteen witnesses had some contact with the police after court. The reasons given included obtaining information about the outcome of the trial and getting back their stolen property.

7.5.1 Awareness of Outcome

One of the functions of the Victim-Witness Program is to provide information about the outcome of a case when requested.

Table 24 Knowledge of Outcome

Knowledge of Case Completion	Number
Completed	38
Don't know	10
Not completed	2
No answer	2
Total	52

Thirty-nine respondents said it was important to them to know the outcome of a case. Thirty reported that the accused was found guilty in the case they were involved in. Eight reported the accused was found not guilty. They discovered the outcome from a variety of sources:

Table 25 Source of Outcome Information

Source of Information	Number
"Grapevine"	13
Police	10
At court	7
Crown attorney	3
Media	3
Coordinator	2
Total	38

Thirty-four respondents stated it was important to them to know what happened, and 21 remembered what the sentence was. The sources of information about the sentence were similar to those about the decision of guilt:

Table 26 Source of Sentence Information

Source of Information	Number
"Grapevine"	8
Police	5
At court	5
Crown attorney	1
Media	1
Coordinator	1
Total	21

7.5.2 Receipt of Witness Fees

Thirty-three of the witnesses reported receiving their witness fee. The fee was received by 21 witnesses in cash, and by five witnesses through a cheque. Two witnesses said they declined the witness fee, and one was not aware that there was a fee. Eleven witnesses stated they did not receive a fee.

Of the 36 witnesses who identified their source of information on how to get their witness payment, 14 received the information from informal sources. Seven said they received the information from the judge's office which is, in fact, more likely to be the Court Registry.

Table 27 Source of Information about Witness Fees

Source of Information	Number
Informal source	14
Judge's office	7
Police	6
Crown attorney	3
Other witness	2
Witness pamphlet	2
Coordinator	2
Total	36

Twenty-two respondents were satisfied with the information received.

7.5.3 Compensation for Victims of Crime

There were 17 victims in this sample, some of whom may have been eligible for compensation from the Crimes Compensation Board. Five victims were informed that they may be able to receive some compensation. Two were informed by the crown attorney, one knew about the program from the radio, one read about it from the program pamphlet, and one was told by the coordinator. Three of the victims were satisfied with the information they received, and two had been specifically contacted to tell them about the possibility of compensation.

7.5.4 Feelings about Being a Witness or Victim

Respondents were asked whether they felt confused, uninformed and/or intimidated by the process in which they were expected to participate. Thirty-three of the respondents said they did not feel intimidated, three were very intimidated, and 12 were a little intimidated.

The reasons for their concern were varied:

Table 28 Witness Feelings about the Court Process

Reason for Concern	Number
Did not understand the process	6
Did not have enough information	4
Lack of control over process	3
Other	6
Total	19

Only three people felt pressure from the community to change or modify their testimony. Three of the respondents were afraid of the accused or of the accused's friends, and one (a victim) was uncomfortable because the accused was a neighbour. Two of the respondents who reported feeling this pressure were target group members. All though the numbers are small, making it difficult to draw firm conclusions, it is possible that witnesses to offences against the person feel more pressured by the community than others. Four of the target group witnesses (28 per cent) felt afraid to give evidence, three of whom were worried that the offender might harm them in some way. These feelings of personal risk or intimidation were less frequently expressed by witnesses (13 per cent) to nontarget offences.

There appeared to be no substantial difference between the target and nontarget witnesses in their feelings of confusion or intimidation: ten of the 14 target witnesses, and 23 of the 38 nontarget witnesses reported that they did not suffer these feelings.

As a result of their experience in court, four respondents were not sure about their willingness to become involved again; however, 39 said they would be willing to participate again.

7.5.5 Long Term Effects of the Witness Experience

Seven respondents felt that they had experienced significant effects from the offence and their involvement in it, including a fear of being alone, sleeplessness, a distrust of others, and a lingering fear of the accused and friends of the accused. There appeared to be no differences between the target and nontarget group witnesses. One witness, who had been involved in a sexual assault trial, felt some guilt for which help

was required. Most of those who responded to this question did not try to find help for their problems.

When asked when and what type of support was most needed, the responses varied:

Table 29 Witness Need for Support

Time Period	Number
Immediately after the offence	8
While waiting for the case to go to court	12
During court	9
During the investigation	3
After court	4
Other	2
Total	38

Ten of the 38 responses were given by target group witnesses. The results suggest that the target group witnesses needed the most help immediately after the offence and during court (30 per cent of target witnesses, 18 per cent of nontarget witnesses) whereas the nontarget group witnesses needed support while waiting for the case to go to court (39 per cent of nontarget witnesses, ten per cent of target witnesses).

7.5.6 Unmet Victim Needs

There were several suggestions for the type of help that would be most useful to victims and witnesses. The suggestions can be roughly broken down into two categories: personal support services and informational services.

Personal Support Services

Some witnesses would like someone to "walk them through" the process. One of these witnesses said that a victim advocate or somebody like a court worker would be helpful. One witness pointed out that family members could also benefit from some support. One of the victims would have appreciated some crisis intervention when released from hospital after the offence had occurred, and another needed more reassurance that giving evidence would not result in retaliation. One would have

appreciated counselling after a sexual assault trial, and another would have liked some regular contact during the protracted period between the offence and the trial.

Informational Services

Informational services required were generally of the type that the orientation sessions are designed to provide. Many of the witnesses who reported that they needed information about what to expect during the trial as well as information about the trial's outcome, etc., had not attended the orientation session.

Sources of Support

Seventeen respondents stated where they had received most of their support: 12 received much support from the police, four from the crown attorney, three from the coordinator and the rest from their family members. Five of the 17 had received support from a combination of sources.

Suggested Improvements

Only eight respondents suggested improvements. Three would have liked a private and more comfortable place to wait, such as a witness lounge. One witness found the witness fees too low, one would have liked the proceedings to be more confidential, and one would have liked more information about the status of the case as it developed.

7.5.7 Summary -- After Court Services

It appears that the conclusions that can be drawn from the opinions of after court services are in line with those of the previous section: the Victim-Witness Program does not have a high profile in the court. Much of the information obtained by the witnesses in this section appears to have been obtained from informal sources or sources other than the coordinator. This situation does not necessarily present a problem as long as the information presented is accurate; however, the implication may also be that informal sources are used because witnesses are often not aware of the coordinator's availability.

There appears to be a continuing need for a personal support and referral service for some witnesses. When the program began, this function was to be provided by the Victim Care Unit. Since that contract was not renewed, no-one is providing these services to the victims and witnesses who need it. This topic is addressed later in the recommendations section.

8.0 RELATIONSHIP TO THE JUSTICE SYSTEM AND OTHER AGENCIES

8.1 Judges

The Yukon has two permanently appointed judges at this time: the judge of the Supreme Court and the Chief Territorial Court judge. Interviews with both judges followed a similar format to the interview schedule developed for criminal justice personnel.

There was little consultation with the Supreme Court judge, and some consultation with the then Chief Territorial Court judge when the program was designed. Neither judge had a great deal of direct contact with the program at that point.

One of the concerns of both judges is the inconvenience through which witnesses are put in attending court. Anything that can be done to alleviate this inconvenience is a benefit. To this end, the three main functions are seen to be to reduce the anxiety of witnesses appearing before the courts, to reduce the amount of time the witness has to be present, and to provide information and feedback to witnesses before, during and after the trial.

It is difficult for the judges to assess the impact of the program on witnesses because they do not have a "before" and "after" perspective. The Supreme Court judge felt that some witnesses are well "readied" for their appearance. The Chief Territorial Court judge suggested there is a danger that the crown counsel may become less familiar themselves with "their" witnesses, as they no longer have to maintain the lawyer-client contact to obtain all of their information.

It is noticeable in the Territorial Court that many of the crown witnesses are acquainted to some degree with the defendant, making them understandably nervous and somewhat tentative in their presentation of evidence.

The perception on the part of both judges was that the program should be available to all witnesses, defence and crown counsel: civil and criminal. This accessibility to all would reinforce the perception of the program's neutrality rather than its perception as a service largely to the crown counsel. One suggestion was that if travel arrangements are being made by the coordinator only for crown witnesses, the travel function should be removed and placed with the crown attorney's office, leaving only the informational and truly neutral program components in the Registry. Another suggestion was that the expansion of the program to a rural community could well change the perception of the program from crown-based to neutral, as the defence counsel would be more likely to use the service during the court circuit than in Whitehorse.

Both judges saw the program to be fulfilling a needed function, and believed it had already been valuable in assisting young witnesses, victims of sexual abuse, etc.

Finally, both judges would like to play some part in the development of policies and procedures guiding functions such as the victim-witness coordinator's.

8.2 Police

Personal interviews were conducted with seven members from the Whitehorse RCMP detachment.

8.2.1 Contact with the Program

There has been substantial contact between most of the RCMP members interviewed and the coordinator. The type of contact varies depending on the type of case involved. There is frequent contact during cases such as sexual assault. The police make referrals when serving subpoenas and have occasional contact over administrative and procedural matters.

8.2.2 Program Purpose

Major functions of the program are seen by the RCMP to be the provision of information about court procedures, referral of victims and witnesses to other agencies for further support, helping witnesses obtain their witness fees, arranging witness travel and accommodation, and witness notification and denotification. Some officers see the informational role as particularly valuable because it ensures that the information provided to all witnesses is consistent.

8.2.3 Impact on Witnesses

All officers believed there had been an improvement in the way that witnesses presented themselves in court, and perceived them to be more relaxed and better informed about the court process and how to give evidence. They were not certain that attendance at court on the part of crown witnesses had improved, as there were generally not very many hostile or unwilling witnesses, with the possible exception of victims of spousal assault.

8.2.4 Defence Witnesses

Opinion varied about whether the service should be available to defence witnesses. Defence witnesses are not victims, are often connected to the accused and usually involved voluntarily with the proceedings. They are not seen, therefore, to have the same needs as crown witnesses. On the other hand, it is perceived that the

orientation sessions and the informational portion of the program could be useful to any witness, whether defence or crown.

8.2.5 Expansion to Communities Outside Whitehorse

When asked whether there was a need for the program in the communities outside Whitehorse, there was a unanimous "yes", particularly for the orientation, referral and witness notification and denotification functions.

There was a concern that the coordinator would be spread too thin if the service was delivered from Whitehorse (for example, if the coordinator formed part of the Circuit Court party). Some members thought that a part-time or contract person from the local community could provide the service, focusing the work mostly on the week before the circuit.

8.2.6 Effect on Workload

All the officers felt that the program had affected their workload by removing some of the administrative work allowing them more time for "police" functions. They now refer routine enquiries about court dates and procedures to the coordinator; they no longer have to deal with making travel arrangements, and they find the single contact point in Whitehorse useful. One estimate was that the Program had reduced the workload by up to 30 per cent; on the other hand, the program requires more paperwork on the part of the court liaison officer.

One officer pointed out that they received fewer complaints from dissatisfied victims and witnesses, which could also be regarded as a decrease in their workload.

8.2.7 Potential Improvements

When asked about potential improvements to the program, some officers responded that the program should be able to deal with the needs of victims closer to the time of the offence; others suggested that it should be expanded into the communities.

Most also felt that the program was not sufficiently known. From the police point of view, the program (and the individual who runs it) must be in the officer's mind at a crime scene in order for the referral process to work properly. This requires substantial personal contact between the individual officers and the coordinator, which must be repeated frequently, as staff are transferred. There is also some feeling that the coordinator must understand what the police do, and the efforts that one of the coordinators had made by going on frequent "ridealongs" was perceived very positively. Public awareness about the program also needs to be increased, possibly by better advertising and less reliance on written material.

8.2.8 Location

None of the officers interviewed thought that the Court Registry location was inappropriate; in fact, it is ideal because of the access to information and the delivery of witness fees.

8.2.9 Continuation

None of the officers interviewed thought the program should be discontinued; most thought it (and other services to victims) should be expanded. The expenditure of funds to administer the program was thought to be money well spent, and some thought that present funds were insufficient.

8.3 Crown Counsel

The senior and three other crown counsels were interviewed: two crown counsels were interviewed together.

8.3.1 Contact with the Program

The contact with the program is mostly concerned with setting appointment times with witnesses before court, and discussing the availability of witnesses for court dates. There is regular contact between the coordinator and the crown counsel over court matters, while there is less need for frequent contact with the senior crown counsel.

8.3.2 Program Purpose

The purposes of the program, as seen by the crown attorney, are to explain the court process and the importance of witnesses within it, and "to do whatever is needed to make witnesses comfortable with appearing in court". This includes arranging appointments for the crown attorney and witness to meet, and making witness travel arrangements.

The program is also seen to provide a personal contact and a familiar face for witnesses who are nervous about their appearance. The program deals with matters that are important to the witness.

8.3.3 Impact on Witnesses

The impact on witnesses is perceived to be reflected in their increased familiarity with the court process and their role within it, although inevitably many witnesses would remain nervous. One perception was that the increased knowledge and understanding of the process made the witnesses more independent and "empowered" them so that they were less dependent on the prosecutor for support. In that sense, the program is seen to

help to restore some balance in the court room so that the prosecutor is seen by the witnesses as "just another player" rather than "their" lawyer.

There is a perception that the witnesses, particularly those from out of town, may be more willing to return to court after adjournments or delays when their travel arrangements and accommodation are arranged for them by the coordinator.

The crown counsels expressed the view that witnesses did present themselves better in court, particularly "cold" witnesses and minor witnesses who otherwise would not receive a great deal of attention.

The perception was that the appearance rate for witnesses had not been increased, but the coordinator was often able to provide an early warning to the crown attorney if a witness was likely to not appear for court.

8.3.4 Defence Witnesses

There were no strong feelings about whether the service should be extended to defence witnesses, although there may be some advantage to all witnesses receiving the orientation.

8.3.5 Expansion to Communities Outside Whitehorse

There is a perceived need for service expansion beyond Whitehorse. Victims of spousal assault and child witnesses experience particular problems in small communities. Also, the orientation and witness notification would help to maintain some order in the courts outside Whitehorse, where the Circuit Court is not seen to be taken sufficiently seriously, and there is a higher rate of witness nonappearance. If such a service is delivered in the communities, it would need to be delivered by a person from that community, not from Whitehorse.

8.3.6 Effect on Workload

There has been some effect on the crown counsels' workload, although it is difficult to quantify. Crown counsels no longer have to do their own orientations, although they sometimes participate in orientations given by the coordinator if a case is very sensitive or if there is a large number of witnesses. They do not have to respond to so many enquiries about court dates and other basic questions, as they can refer witnesses to the coordinator. This leaves them more time for "lawyering" and reduces the time they spend with witnesses dealing with matters not directly relating to evidence.

8.3.7 Potential Improvements

A suggested improvement was to extend the program to the communities. No major problems with the program or other improvements were identified. When asked

whether a service such as the Victim Care Unit should be restored, the response was that such counselling and other supportive functions are best delivered by a social service agency, perhaps with the victim-witness coordinator as referral agent.

8.3.8 Location

The Court Registry is perceived to be an appropriate location, given that the coordinator administers the witness payments and needs constant access to court information. The location provides good visibility and is not seen to be overly intimidating.

8.3.9 Continuation

The program should be continued, the expenditure of funds is seen to be entirely justified and is a good value for the money.

8.4 Social Services

Meetings were held with the following: two social workers from the Child Protection Branch of the Department of Health and Human Resources, nine staff of the Women's Transition Home in Whitehorse, four mental health professionals from the Mental Health Services Branch of National Health and Welfare in Whitehorse and a counsellor from the Yukon Family Services Association. All these agencies deal with victims, offenders, or both, many of whom are members of the target group populations.

8.4.1 Contact with the Program

All these agencies have had some contact with the Victim-Witness Program. Some have received clients for counselling on referral from the coordinator, and others have dealt with the program because their existing clients use it to help them through the court process. There has been some informal contact with the coordinator also, as many of the "helping" professionals belong to the same associations and attend the same meetings, providing an opportunity for information exchange.

8.4.2 Program Purpose

The purpose of the program is seen by social service agencies to reduce the stress experienced by victims and witnesses, as they go through the court system. There is also some importance attached to the role of the coordinator in facilitating communication and arranging meetings between victims, witnesses and crown counsel.

The informational component of the program, including the court room tour and orientation session, is important in clarifying victim and witness expectations and roles within the court system.

Another purpose of the program is to provide information about other related services or programs, such as the Compensation for Victims of Crime Program. This may be difficult for counsellors to raise during counselling sessions in case of conflict of interest when the counsellors are asked to testify as expert witnesses about the impact of an offence on their client.

8.4.3 Impact on Witnesses

Most of the people interviewed reported that their clients had been very pleased with the service and felt a sense of relief at being able to have their questions answered. There is a perception that the personal contact and personal attention given to clients is particularly useful.

8.4.4 Defence Witnesses

There was some feeling that the program should not provide service to defence witnesses, but should focus on providing assistance to victims who are required to testify. The perception is that victims need reassurance that someone is "on their side"; this function is seen to be provided to defence witnesses by the defence lawyer.

8.4.5 Expansion to Communities Outside Whitehorse

Most of the people interviewed thought that the program should be expanded to outside communities for a number of reasons. It was recognized that many residents of smaller communities are quite familiar with what goes on during the Court Circuit, however, the point was made that just because they see it does not mean there is a full understanding of the process. Crown prosecutors do not have sufficient time during a busy circuit to provide adequate information and support to crown witnesses.

Community and family pressures are seen to be greater on crown witnesses in small communities, particularly in family violence cases where victims are testifying against their relatives.

Communities also have fewer resources and support agencies for victims to obtain help and support. A person in the community who could provide support would, for example, be especially helpful to battered women who have left their community but must return for court.

One respondent pointed out that the program's expansion into the communities was an issue of equity and should be addressed as a matter of principle given the government's other efforts to provide services in the communities.

8.4.6 Effect on Workload

There were differing views on how the program had affected workload. Some social workers and counsellors believed that their workload had been reduced because the coordinator was now arranging appointments with the crown attorney and providing basic court related information to victims and witnesses. The presence of the program frees up time for counsellors to provide emotional support to their clients. Not all counsellors are very familiar with the justice system and court procedures. Consequently, they feel a reduction in pressure when they have someone to whom they can refer questions. Many felt that the program had no direct effect on their workload, but rather rounded out and improved the service they could provide by increasing the number of available resources.

8.4.7 Potential Improvements

One area that was identified by all those interviewed as needing improvement was its public profile. There was a strong feeling that the program needed to be more visible and active in promoting itself.

One suggestion was to ensure that the coordinator became part of the "social service network". This could be at least partially achieved if the coordinator became part of, for example, the Crime Prevention Committee and the Association for the Prevention of Community and Family Violence. On the one hand, this ensures that the membership of these organizations becomes aware of the program and its purpose. On the other hand, it allows the coordinator to stay in touch with current thought with respect to victim issues, and ensures knowledge of other resources in the community to which victims and witnesses could be referred.

Heightening the public profile was considered particularly important given that there are few services available during the post offence/presubpoena stage. If victims want information about their situation, they must know themselves where to call.

8.4.8 Location

Most respondents thought the program was in the appropriate location because most of the services were to do specifically with the court process. The program should be recognized as an integral part of the court system.

8.4.9 Continuation

All respondents believed that the program should be continued and the expenditure of funds to pay the salary of an individual was entirely appropriate.

8.5 Justice System Private Agencies

The executive director of the Native Court Worker Society and the coordinator of the YPLEA were interviewed.

8.5.1 Contact with the Program

There has been very little contact between the Native Court Worker Society and the Victim-Witness Program, consequently there is not a great deal of awareness of what the program is doing. This may improve when the native court workers move into the court building, providing a natural opportunity for information exchange. There is, on the other hand, a great deal of contact between YPLEA and the program resulting from referrals and enquiries to the Association's Law Line.

8.5.2 Program Purpose

From YPLEA's point of view, the purpose is to provide information, personal attention, some advocacy (assisting victims to complete applications to the Crimes Compensation Program) and attention to personal needs of victims and witnesses. The purpose of the program is not well known to the Court Worker Association because of the lack of contact.

8.5.3 Expansion to Communities Outside Whitehorse

It is perceived that some services should be available outside Whitehorse, but consultation with community representatives or people who work often in the communities should take place before expansion.

8.5.4 Effect on Workload

The program has, in some ways, increased the workload of YPLEA because it has rounded out and supplemented the services available. It also is an additional source of client referrals to YPLEA.

8.5.5 Potential Improvements

The perception is that the public profile of the program needs to be raised. This can partly be accomplished by increased contact with other agencies, but also by giving more thought to the written advertising material.

The outreach and networking components of the program need to be maintained, if not enhanced. It was suggested that the coordinator become involved in organizations such as the Association for the Prevention of Community and Family Violence, to maintain contact with other service delivery agencies, as well as to increase the coordinator's personal knowledge base.

It is perceived that the program is not meeting the needs of Indian people who require information about the court process. Rather than contact the victim-witness coordinator, many Indian people in the communities ask for information from the native court worker.

It was suggested that services and information should be provided to victims as soon after the offence as possible. This could be accomplished if the police had business cards listing victim services.

8.5.6 Location

Both agencies felt that privacy was a problem with the coordinator being in the Court Registry. The Court Worker Association particularly felt that the Registry was inappropriate and was intimidating. Another location within the court building would provide privacy and be more readily accessed by clients. A separate and more prominent location would also help to raise its profile with the public.

8.6 Summary and Implications

Most of the criminal justice and other representatives interviewed had substantial contact with and knowledge of the program. There is a strong feeling however that the program is not visible enough to the public or to resource people. The Native Court Worker Society has not had a great deal of contact with the program, and does not have a great deal of knowledge about what the program does. The view that it is not meeting the needs of Indian people very well was shared by the Chair of the defence bar.

The fact that almost everyone interviewed thought the program should be better publicized and expressed concern that the Program does not meet the needs of Indian people, speaks for increased public relations and advertising, as well as possibly a different way of operating. Suggestions are offered in the "Recommendations" section.

The program is seen to have a significant impact on witnesses and on victims in particular. Witnesses are better informed, more independent and more understanding of their role.

There were two significant concerns identified; firstly, the program is functionally available only once a subpoena has been served, and, secondly, only witnesses appearing in Whitehorse courts have direct access to the program. These problems suggest that some thought should be given to increasing the possibility of contact as soon after the offence as possible, and the other possibility is to extend the program, or some aspects of it, to communities outside Whitehorse.

The program has had substantial but differing impact on the work of various organizations. The crown counsel and the RCMP both report a significant saving in

their time as they can refer routine questions to the coordinator, thus allowing them to concentrate on matters relating to evidence and investigation. While this is an obvious benefit to "the system", it also benefits the victims and witnesses themselves. They can now obtain information from one source, saving them time and reducing the likelihood of receiving conflicting or confusing information from different sources. To "the system", this is reflected in the consistency of information given to all, not only the major witnesses.

Similarly the arrangement of travel and accommodation appears to be largely an administrative function, but these details can be somewhat of a burden and concern to witnesses if they are not properly handled.

Other representatives reported that the program had not so much decreased their workload as rounded out and improved the service they were able to provide.

The location in the Court Registry is not generally perceived to be a major problem although it is seen to lack privacy and to be somewhat intimidating to some.

The program was originally intended to provide service to crown counsel and defence witnesses, however it has served only crown witnesses. There is some ambivalence about whether it should serve defence witnesses. Some people feel that the crown witnesses are under more pressure than defence witnesses, and that defence witnesses receive the services of the defence lawyer. Others believe that the orientation and informational part of the program should be available to all witnesses, in civil as well as criminal cases.

8.7 Cost Effectiveness

Cost effectiveness is difficult to measure given that the provision of services to victims is at least partially determined by the changing emphasis towards victim services in the justice system and the resulting policy decisions.

It is possible, however, to come to some conclusions about the cost effectiveness of the program based on the costs of the program itself, the number of victims and witnesses served, the amount of money that the program saves other departments by relieving them of certain responsibilities, and whether or not the program has affected the money spent on witness fees by more effective notification and denotification.

Table 30 Program Budget

Year	Salary and Benefits	Other Expenses	Recoveries
1987-88	$38,000.00 (approx.)	$38,900.00	
1988-89	$38,638.00	$ 7,000.00	
1989-90	$43,886.00	$57,000.00	$50,000.00

During the 1987-88 fiscal year, the contract with the Salvation Army was in effect at a cost of $34,300.00.

The "operations" expense during the 1988-89 year was to cover the costs of the coordinator's travel, pay for the materials used to build a courtroom model, and provide funding towards the production of the teen computer program and the "Women Can't be Beat" video.

As can be seen, the operations budget for the 1989-90 year remains at $7,000.00. There is an additional $50,000.00 recoverable through the Federal-Territorial Victims of Crime Services Agreement. This money is to be used to enhance the program.

8.7.1 Witness Expenses

The amount paid to lay witnesses increased under the Territorial Court Act in August 1986 from $10.00 per day plus $15.00 living expenses to $4.00 per hour plus meals and living expenses at the rate paid Yukon Territorial Government Employees ($38.00 per day plus hotel accommodation).

The table below shows the expert and lay witness fees expended during the first year of the program (September 1, 1987 to August 31, 1988) and the immediately preceding 12 months.

Table 31 Expenditure of Witness Fees

Year	Supreme Court $	Supreme Court # Witnesses	Territorial Court $	Territorial Court # Witnesses
Fiscal years				
1984-85	2,574.00	-	82,598.00	-
1985-86	9,006.00	-	109,000.36	-
September-August				
1986-87	38,494.71	96	77,372.40	375
1987-88	15,204.61	50	103,505.51	443

The time period between September 1 and August 31 was selected because it matches the period during which the cases covered in this evaluation were dealt with.

As can be seen the amount expended on witness fees has increased for the Territorial Court and decreased for the Supreme Court. The number of criminal cases dealt with by the Territorial Court has also increased.

Table 32 Number of Court Files: 1986-1988

Year	Supreme	Territorial
1986-1987	78	*4,500
1987-1988	95	*5,295

*these figures are estimates because of dual counting arising from the installation of an automated information system.

The volume of work has increased for both the Supreme and Territorial Courts during the period covered by this evaluation. Given the above figures, it is difficult to say whether the program has helped to reduce the amount of money spent on witness fees for witnesses who should have been denotified.

The impression of the director of Court Services is that the witness fees are now being controlled and administered to a much greater extent than before. Some

expenditure of funds will always be difficult to predict, given the number of witnesses who come from out of the Territory or out of Whitehorse (as an example, the amount of money spent on witness travel from September 1987 to August 1988 was $59,873.02, more than one-half of the money expended).

Certainly the crown counsel and police estimate the program to have saved them time and, therefore, money in dealing with witness matters not relating directly to evidence.

Information from this sample suggests that approximately 15 per cent of witnesses were denotified before ever appearing in court, representing as many as 109 a year. If these witnesses appeared for court and were not needed, assuming an average of a half-day's witness fees ($12.00), the costs would be $1,308.00, excluding amounts paid for witness travel.

There is also the potential reduction in loss of earnings on the part of denotified witnesses. This is a particular problem for people who operate their own businesses, one of whom reported losing $400.00 as a result of his court appearance. From this sample, it is estimated that approximately 15 witnesses denotified each year could be self employed. At an average cost to witnesses of $300.00 per day, this amounts to $4,500.00.

8.7.2 Summary

In the absence of information about the number of denotifications for the time period in question, it is difficult to estimate whether the program has saved money that would otherwise be spent.

The other side of the cost-effectiveness question, however, is whether the program gives value for money. The time saved by the RCMP, crown counsel and the witnesses who have a single source of information suggests that this is the case.

9.0 CONCLUSIONS

9.1 Agency Perceptions

Clearly, the Victim-Witness Program is perceived positively by the agencies that work with the criminal justice system. The agency representatives interviewed have identified a number of positive impacts that the program has had on their work:

- a reduction in various administrative chores, freeing time to provide counselling or other functions relating to evidence;

- the provision of consistent information to all witnesses resulting in smoother court processes and more relaxed and confident witnesses;

- the provision of an additional service and source of information to round out the services they provide;

- a single information source surrounding case-related information thus reducing witness confusion;

- an impression that there is a reduction in court adjournments resulting from witnesses failing to appear;

- a source of personal attention and support for victims and witnesses;

- restoration of the balance in the courtroom, reducing the dependence of victims and witnesses on the prosecutor; and

- a source of independent information to victims and witnesses, increasing their independence and confidence.

Agency representatives identified very few problems with the program. The two problems most frequently mentioned were:

(1) the program is poorly publicized, both to the general public and to agencies dealing with victims and witnesses; and

(2) the program serves only victims and witnesses appearing in Whitehorse.

These two points are addressed in the recommendations section.

9.2 Victim and Witness Impressions

The results from the victim and witness interviews are not so clear cut for at least four reasons:

(1) One of the major functions of the program is to arrange travel and accommodation for out-of-town and out-of-Territory witnesses. This evaluation could only address the degree to which the program had met the needs of Yukon witnesses, thus the significance of travel, from the perspective of out-of-Territory witnesses, remains largely unanswered.

(2) There is little information available against which to assess the impressions of witnesses, or to judge whether the target population is being identified and its needs met. There is no information in the Court Registry that identifies

witnesses separately from victims, neither is this information currently collected by the program.

(3) As there is no demographic information available about the people who use the program, it is impossible to accurately assess whether the targeted young, old or traumatized victims are being identified and dealt with. It does however, appear that the proportions of target group members (as defined by the offence) are consistent with other reports. Assuming the proportions of certain offences in the Yukon are similar to other Canadian centres, it can be stated that the objective of identifying the members of some target groups is being met.

(4) There have been changes in the financial reporting system in recent years and comparative, yearly information about witness costs is difficult to derive. Similarly, it is not possible to obtain information about the number of subpoenas issued to gain insight into the number of cancellations.

Given these limitations, however, there are four conclusions that can be drawn:

(1) On the whole, the surveyed witnesses who appeared in court were satisfied with their experience and with the services received, although they identified relatively little contact with the Victim-Witness Program. A close scrutiny of the responses suggests that some clients had in fact been in contact with the program, but ascribed the services received to the crown attorney.

(2) Most of those who reported that they attended the orientation session found it useful.

(3) There appear to have been some witnesses who could have been denotified prior to court day, but who arrived at court to find that they were not needed.

(4) There is a small group of victims and witnesses who could benefit from more in-depth supportive or counselling service to deal with the longer term effects of the experience.

9.3 Achievement of Objectives

The evaluation covered the broad objectives of the program as outlined earlier in this report.

9.3.1 Providing Assistance to Victims and Witnesses Before, During and After Court

The data, with respect to before, during and post court services, received by the witnesses must be interpreted with some caution given the strong likelihood that witnesses were receiving services from the coordinator but ascribing them to the crown attorney's office, judge's office, Court Registry, etc.

Assistance before Court

Less than half the witnesses and victims in this sample who were subpoenaed to court stated that they were contacted by the coordinator. The program cannot deliver service unless it is in contact with witnesses.

Two of the nine witnesses who were denotified prior to their court date were denotified by the coordinator. The others received the information from the crown attorney or the RCMP.

The program is successful in delivering service to offence-defined target group witnesses, but not so successful at serving target group witnesses defined by their personal characteristics because it does not track this information. Some witnesses, however, may define special needs when they are contacted.

Assistance During Court

Seven respondents reported contact with the coordinator on court day (13 per cent of subpoenaed witnesses who went to court). However, these data are ambivalent given that more witnesses than this number said they attended the court day orientation session. Generally speaking, victims and witnesses were satisfied with their experience and would be willing to come forward as witnesses in the future.

The orientation session, although few witnesses stated that they had attended, is regarded as highly successful by the crown attorney, police and other agencies with respect to reducing witness anxiety and improving the delivery of their testimony. While there may be attendance problems, the session itself appears to be fulfilling its function as planned.

Only three of the eighteen witnesses who were denotified reported being denotified by the coordinator or other registry staff (16 per cent of all witnesses who were denotified on court day). Several of these 18 witnesses potentially could have been denotified prior to the court date, suggesting that the program is not fully meeting its denotification objectives.

After Court

Most of the witnesses reported no contact with the coordinator after court, and eleven reported receiving no witness fee. The majority of the witnesses who stated that they received a fee got it in cash, in line with the program's intent to lessen witness inconvenience.

Most of the witnesses were aware of the outcome of the trial, although they said they received the information from elsewhere.

9.3.2 Providing Information about Available Community Resources that Provide Long-Term Counselling for Crime Victims

Most of the sample interviewed did not report long-term effects arising from their experience. Referrals were made when requested by witnesses. Not all the victims who may have been eligible for compensation received information about the Compensation for Victims of Crime Program. The Victim-Witness Program is only partly fulfilling its after court objectives.

9.3.3 Arranging Travel, Accommodation/Reservations for Witnesses Living in a Place Other Than Where the Trial is Held

One of the precourt functions of the program is to make travel arrangements. Out-of-Territory witnesses were excluded from this sample, and the majority of the respondents were Whitehorse residents. It was therefore not possible to directly assess this function. The RCMP and crown attorney suggested that travel arrangements were being made as planned; therefore, it appears that this function is being fulfilled.

9.3.4 The Impact of the Highly Transient Population, Shortage of Telephones in Rural Areas, Infrequent Mail Service in Rural Areas, and the "One-Person Program" Situation, on the Perception and Delivery of the Program

The Yukon's highly mobile population and a shortage of telephones creates problems in contacting victims and witnesses to inform them of the program.

The "One-Person Victim-Witness Program" situation in a small community like Whitehorse creates an environment where community agency personnel and professionals are less likely to make referrals or mention the program to their clients unless they are personally familiar and comfortable with the victim-witness coordinator.

9.3.5 Administrative Objectives

The Appropriateness of the Program Design

The program's design and location are appropriate, as is its location in the Court Registry. Its limitation to Whitehorse is identified as a problem.

Indicators of Program Activity and Results

The indicators of program activity are inadequate to measure its performance and results as defined in the program objectives.

Cost and Cost-effectiveness

Because of changes in the witness fee structure and the inadequacy of program indicators, it is not possible to properly assess its cost-effectiveness. The perception is certainly that the program is highly cost effective.

Alternatives for Program Delivery and Potential Duplication

The program's court related activity is being delivered appropriately and in the proper location. There is some doubt whether the Court Registry should be responsible for the delivery of in-depth client counselling and support services, particularly closer to occurrence of the offence. No duplication of service is perceived as the program fulfils a unique function.

Program Continuity

There is a need perceived for the program to continue, as no other agency or organization is providing this service. There is a need identified to expand the service to the communities, and to supplement the witness support function closer to the time of the offence.

9.4 Comparison of Results

9.4.1 Comparable Studies

The results of this study can be compared to the results of others in order to place the Yukon's Program into a wider Canadian context. Two somewhat similar studies are Meredith's evaluation of the Ottawa Witness Coordinator Program (1984) and the evaluation of the Witness Assistance Program in Saint John and Campbellton conducted by Mullally (1984). These three programs are not identical to the Yukon Victim-Witness Program; for example, the Ottawa program (at least in 1984) did not include a formal orientation session for groups of witnesses, and the Saint John program

made extensive use of volunteers. The programs do, however, have very similar objectives.

The evaluation of the Ottawa Witness Coordinator Program study results were based on information obtained from program staff and analysis of program file and management data (Meredith, 1984). Interviews were conducted with criminal justice system personnel and 132 of a sample of 450 crown witnesses. The evaluation of the Ottawa Witness Coordinator Program in Saint John and Campbellton report results were based on interviews with 200 witnesses in Saint John and 63 witnesses in Campbellton as well as interviews with program staff, volunteers and other criminal justice personnel (Mullally, 1984). The methodologies of these studies are roughly comparable to the Yukon study (McLaughlin, 1982), and are similarly limited by the lack of comparative information between program user and nonuser groups and preprogram baseline information on which to base conclusions about the programs' effects.

9.4.2 Similarities and Differences

There are some similarities between the results and conclusions of the different studies, notwithstanding their different structures, administration and availability of program related information. The different amount of detail presented in the reports also creates some difficulty for assessing their similarities and differences.

- The characteristics of the victim-witness population suggest that people from all segments of society and income level may be involved as victims and witnesses required to testify at trial. The characteristics of the sample from the Yukon appear to reflect the characteristics of the population in the community, as the New Brunswick samples reflected the populations of Saint John and Campbellton. The income and educational levels of the Yukon sample are comparatively high, perhaps reflecting the different wage structure in the Yukon and the large proportion of business operators and government employees in the sample.

- The proportion of victims in the different study samples are quite similar (27 per cent Yukon, 29 per cent Ottawa, 32 per cent Saint John, 22 per cent Campbellton).

- The services provided to victims and witnesses are similar, although varying in their use of volunteers (Saint John) and the availability of an organized witness orientation package (none mentioned in the Ottawa study). Eighty-seven per cent of the Saint John witnesses and 83 per cent of the Campbellton witnesses attended the information session prior to their appearance, as compared to only 17 per cent of the Yukon sample. The reasons most frequently given by the New Brunswick samples were to learn more about court procedures, and because they were asked to go when they

reported to the crown attorney's office. The Yukon sample gave similar reasons, except they were asked to attend by the victim-witness coordinator. The proportion of witnesses in the Yukon sample who had previous witness experience is higher than the other studies (52 per cent Yukon, 34 per cent Saint John, 20 per cent Campbellton, 40 per cent Ottawa), perhaps explaining some of the differences in attendance at the information session (McLaughlin, 1983). Because the attendance at the session for the Yukon sample was so low, it is difficult to directly assess the success of the orientation session in preparing witnesses for court and reducing their anxiety. The crown prosecutors and RCMP, however, felt that there was an improvement in the way witnesses handled themselves and presented their evidence in court.

- With respect to the services provided, all three programs experienced problems with the delivery of the witness pamphlet to all subpoenaed witnesses. Sixty per cent of the Yukon sample recalled receiving the pamphlet, although only 40 per cent received it with the subpoena. Fifty-five per cent of the Ottawa sample, 30 per cent of the Saint John sample and 38 per cent of the Campbellton sample received the pamphlets. Most of the witnesses found the pamphlet helpful.

- Two-thirds of the Campbellton sample, three-quarters of the Saint John sample, and a little over half the Yukon sample were not aware of the Victim-Witness Program until court day, suggesting common problems with respect to program publicity.

- Most of the Yukon witnesses did not report suffering long-term problems resulting from their experience, and the seven who did had not made great efforts to find help for their problems. It is not clear whether witnesses did not attempt to find help because they did not know what resources might be available, or whether they were simply reluctant to ask. The Ottawa and New Brunswick studies also indicated a similar reluctance on the part of witnesses to ask for assistance or information.

In conclusion, it can be said that there are differences in the program's impacts on the court system and on the victims and witnesses themselves. These differences are due in part to the way the program is administered in each community. Some problems appear to be common to all the programs, including a lack of public knowledge about the program, the difficulty of ensuring the delivery of the witness pamphlet to all subpoenaed witnesses, the need to increase referrals to social agencies for witnesses experiencing difficulties, and the need to increase information dissemination about the potential for compensation or restitution.

10.0 RECOMMENDATIONS

10.1 Source of Recommendations

The recommendations presented are based on information obtained from the victim-witness interviews, as well as from interviews conducted with criminal justice and other agency personnel. The recommendations dealing with program planning and monitoring are derived largely from observations made by the researchers respecting their difficulties in completing the research and evaluating the program as originally planned.

10.2 Program Planning and Monitoring

Problem

The Department of Justice Canada has identified four "work process outputs" as a means of measuring the program's performance:

(1) Clients assisted:

- number of victims assisted; and
- number of witnesses assisted.

(2) Client benefits

Witnesses oriented to courts

- number of witnesses informed of courtroom procedure and what is expected of them in proceedings.

Appearance of witnesses ensured

- per cent of witnesses who fail to appear.

Support offered to victims

- number referred to community support agencies.

The consequence of the above is identified to be "justice afforded to victims and witnesses".

- The activity during the first years of the program was focused very much on service delivery rather than record keeping. The records maintained by the program are not adequate to collect the information required above, or to monitor program performance. Specifically there is no way of identifying victims separately from witnesses, no record of the number of witnesses denotified, and no way of identifying the target groups. Some information is now included in the Court Registry Information System including the offence, the witness name, witness fees, etc. This limited information is not believed to be sufficient to judge whether the program is fulfilling its objectives.

- The work outputs identified by the Department of Justice, as program indicators do not relate to the program objectives.

- The consequences of the program indicators, "Justice afforded to Victims and Witnesses" are unquantifiable.

Recommendation

It is recommended that the Court Services Branch develop a simple system for recording information about the client group and the activities relating to the program objectives. At a minimum these should include:

- Whether the client is a victim or a witness;

- The offence involved;

- Whether the client is a member of a target group and which;

- Whether the client is denotified;

- The reason for denotification;

- Whether the witness fails to appear for court; and

- Total number of subpoenas issued to civilian witnesses.

There is also program related information required to determine whether it is meeting its objectives of providing information, referral sources, etc. These include:

- Time of contact (pretrial, trial day, after trial);

- Which witnesses actually attend the information sessions; and

- Referrals made and to where.

10.3 Program Identity/Public Relations

Problem

- Many of the witnesses surveyed who have been in contact with the program do not identify the services received with the Victim-Witness Program.

- Many of the witnesses surveyed found their information about witness fees and the trial outcome from informal sources, thus much program and service information is transmitted by word of mouth.

- As discovered by the evaluation team, many Yukoners are highly mobile, and a significant proportion do not have telephones. The coordinator will inevitably be unable to contact this group by telephone.

- The social service and criminal justice agencies surveyed for this study were concerned that the Program was not sufficiently a part of the "network" of other victim and support services in the community. They were also concerned that the "outreach" component of the program appeared to have declined over the last year.

Solution

It is recommended that the Court Services Branch increase the program's visibility and identity, not only to the program clients but to the public and social agencies as well. Particular attention should be paid to informing the Indian community.

- Given the number of clients who do not have telephones, or who are otherwise difficult to contact, it is doubly important to ensure that information is disseminated, whether this be by the media, RCMP business cards, more consistent delivery of the witness pamphlet, or even a typed notice on the subpoena itself.

- The current Position Description for the coordinator states that approximately ten per cent of the time should be spent on informing people about the program. This amounts to about a half-day a week. One effective way of ensuring that the other service delivery agencies are informed of the program (and ensuring that the coordinator has access to the necessary information about their programs) would be for the coordinator to attend inter-agency meetings of, for example, the Crime Prevention Committee or the Association for the Prevention of Community and Family Violence.

- Many agency representatives stressed the importance of personal contact as a way of providing information. One way of accomplishing this contact would

be for the Coordinator to visit agencies regularly, to present information at their staff meetings and similar activities.

10.4 Being a Witness Pamphlet

Problem

- A substantial number of the witnesses surveyed did not receive the "Being a Witness" pamphlet. Most of the people who did receive the pamphlet read it and found it useful. In addition, the pamphlet was a frequent source of information about the Victim-Witness Program.

Solution

It is recommended that the Victim-Witness Program take steps to ensure the delivery of the pamphlet with all witness subpoenas.

10.5 Increased Victim Support

Problem

- The Victim Care Unit was in operation when the Victim-Witness Administration Program began to deliver regular service. Its intent (although not fulfilled) was to provide support as soon after an offence as possible, to assist with the court orientations, to provide court accompaniment and to provide personalized support and referral.

- The results of this evaluation suggest that there is a relatively small group of witnesses who require more support than can be provided by the witness coordinator. Five witnesses stated they would have liked someone to sit with them during court, two of whom specifically mentioned an informed person similar to a court worker. There is also some, although unquantifiable, need seen for intervention much more closely tied to the time of the offence itself. This need was perceived by agency representatives, the RCMP and eight witnesses, particularly target group members. There was also a suggestion that family members of witnesses could benefit from support.

- Many of the agency representatives interviewed felt that victims in particular needed more support than the program could offer; on the other hand, they were not sure that the service should be directly provided by the Court Services Branch. Those who see the program operating successfully as part of the "courts" system do not see how it could realistically expect to become involved in post offence crisis counselling when the courts are not yet

involved (and not mandated to be involved). They see this post offence intervention as a police-related role, perhaps through strengthened referral or inter-agency services.

Solution

There are several options for the delivery of such a service. Generally speaking, the agency representatives felt that the victim-witness coordinator could not (and should not) do both the administrative functions of the job (travel arrangements, witness contact, orientations) as well as the support service. On the one hand, the coordinator does not have the time and, on the other hand, it could be difficult to find a person who would be able to do both aspects of the job equally well. The Victim-Witness Administration Program is perceived to be working quite effectively now, and there is some danger of diluting the service if it takes on new responsibility. The view is therefore that the victim support and advocacy function should be separate from the administration.

As mentioned, there is some question about whether such a service should be delivered by the Court Services Branch, or even whether it should be that Branch responsibility at all. There is the possibility that the same procedural problems would plague the new unit as affected the Victim Care Unit (for example not receiving the post offence referrals from the police) should it be attached to Court Services. Placing the Program with Court Services however would encourage the development of a coordinated victim service in one location.

It is therefore recommended that the Court Services Branch introduce a personalized support service to assist Victims and Witnesses who need it once they have begun to move through the court system, (as early as the first appearance but not before the laying of charges). This support could include:

- counselling and referral work;
- assistance to victims in completing applications for compensation, victim impact statements, etc.; and
- personal victim emotional and practical support.

It is recommended that the Court Services Branch contract the service to a private agency or group, with the provision that the group be knowledgeable about, and sensitive to, victim issues. As examples, the criteria would include an understanding of the dynamics of sexual and wife assault.

10.6 Extension to Communities

Problem

- The Victim-Witness Program is available only to witnesses appearing in court in Whitehorse.

- The crown counsels and RCMP report that the number of non-appearing witnesses is very high in rural communities.

- It is reported that many rural witnesses do not have a real understanding of the court process.

- It is felt that there is a particular need for some service in rural communities because there are so few (if any) other agencies providing support service.

Solution

It is recommended that the Court Services Branch plan to provide victim-witness services in at least one community outside Whitehorse in the near future.

- The Program should provide notification, denotification and orientation services to witnesses. Because there are so few other sources of support to victims and witnesses in rural communities; however, the program should include a victim support and referral component.

- The service could be contracted to a private or non-profit group, and run under the guidance of a local Court Registry.

- There are two communities with part-time registries, these are Watson Lake and Dawson City. The project could be operated as a pilot project for three years in the community with the highest proportion of offences "against the person" whose victims may require substantial support.

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